

**Independent Review of  
St. Francis Xavier University's  
Policies and Procedures Related to  
Sexual Violence**

*Prepared for StFX University  
June 30, 2024*



**Watershed Legal Projects**

*Realizing law's potential to respond to sexualized violence*



**Watershed Legal Projects  
Independent Review of St. Francis Xavier University's  
Policies and Procedures Related to Sexual Violence**

<b>Description</b>	<b>Page No.</b>
<b>A. Introduction and Background</b>	1
The Independent Review Process	2
<b>B. Positive Change to Policy and Practice at STFX, 2019 – 2024</b>	3
<b>C. The Systemic Context: Barriers to Disclosure and Reports of Sexual Violence</b>	8
<b>D. Athletics</b>	11
Introductory Observations	11
Athletics Equity and Safe Sport Committee	14
Student Athletes: Power Dynamics, Culture, Perpetration, and Community Perception	15
The Connection Between Inequalities within Athletics and Sexual Violence	20
Other Observations Concerning Athletes	21
The Culture of the Athletics Administration	22
Homecoming and The Schedule for Men's and Women's Games	25
Information About Disclosure and Reporting Options for StFX Athletes	27
Waves of Change Training for Varsity and Club Athletes	27
Recommendations Relating to Athletics	29
• Recommendation 2	29
• Recommendation 3	29
• Recommendation 4	29
• Recommendation 5	30
• Recommendation 6	30
• Recommendation 7	30
• Recommendation 8	30
• Recommendation 9	30



<ul style="list-style-type: none"> <li>• Recommendation 10</li> </ul>	30
<b>E. Residence</b>	31
Continue Progress in Disrupting Harmful Traditions <ul style="list-style-type: none"> <li>• Recommendation 11</li> <li>• Recommendation 12</li> </ul>	31 35 35
Increase Professional Staff in Residence and Support for Community Advisors <ul style="list-style-type: none"> <li>• Recommendation 13</li> <li>• Recommendation 14</li> </ul>	35 35 35
Consolidate Hazing Policies <ul style="list-style-type: none"> <li>• Recommendation 15</li> </ul>	35 37
<b>F. Sexual Violence Policy &amp; Practices Under the Policy</b>	37
Expand the Sexual violence Prevention and Response Advocate’s Office <ul style="list-style-type: none"> <li>• Recommendation 16</li> <li>• Recommendation 17</li> </ul>	37 39 39
Proactive Measures, De-escalation and Support in Residence <ul style="list-style-type: none"> <li>• Recommendation 18</li> <li>• Recommendation 19</li> <li>• Recommendation 20</li> </ul>	39 42 42 42
Formalize Sexual Violence Internal Review Meetings <ul style="list-style-type: none"> <li>• Recommendation 21</li> </ul>	43 43
Prioritize and Promote Aggregate Reporting of Sexual Violence Statistics and Trends <ul style="list-style-type: none"> <li>• Recommendation 22</li> <li>• Recommendation 23</li> </ul>	44 45 45
Amend and Clarify Provisions on Prohibiting Sexual Activity Between University Employees and Students <ul style="list-style-type: none"> <li>• Recommendation 24</li> </ul>	45 46
Amend the Policy Language Regarding Intoxication and Incapacity <ul style="list-style-type: none"> <li>• Recommendation 25</li> </ul>	47 47
Improve Training of Faculty <ul style="list-style-type: none"> <li>• Recommendation 26</li> </ul>	47 48



Expand Counselling Services	48
• Recommendation 27	49
Develop and Better Incorporate Diverse Experiences in Waves of Change Training	49
• Recommendation 28	49
Remove the “Zero Tolerance” Statement from the Policy	50
• Recommendation 29	51
Reduce the Number of Broad Communications on Sexual Violence issued to the Community	51
• Recommendation 30	54
Evaluate the REES (Respect Education Empower Supervisors) Platform	54
• Recommendation 31	54
Publish a Guideline Regarding Communications with Parents/Students under the Policy	55
• Recommendation 32	56
Other issues raised with the IRP – Immediate Measure of Moving Respondent Students to a New Residence	57
Other issues raised with the IRP – Overcoming or Reinforcing Norms?	58
<b>Conclusion</b>	59
List of Recommendations	60
Appendix A: Terms of Reference	65
Appendix B: Independent Review Panel Member's Biographies	70
Appendix C: StFX Sexual Violence Prevention Committee Communication Grid	71



## **Independent Review of St. Francis Xavier University's Policies and Procedures Related to Sexual Violence**

**June 30, 2024**

### **A. INTRODUCTION AND BACKGROUND**

This review of St. Francis Xavier University's (StFX) policies and practices in response to sexual violence on campus is the second review undertaken by Watershed Legal Projects ("Watershed").

In 2019, Watershed (then CCLISAR<sup>1</sup>) attended StFX for multiple days of consultations and undertook a policy-focused review. Watershed's report, dated June 28, 2019, recommended, among other things, a new sexual violence policy, the removal of sexual violence from student code of conduct processes<sup>2</sup> and adjudications (to be replaced by a specialized investigative model), and the establishment of a specialized office with staff trained in receiving disclosures of sexual harm. The 2019 report can be found on the Watershed [website](#).

In late 2023, StFX approached Watershed to return and conduct a second review. The mandate given to Watershed by StFX under the terms of reference for this 2024 review was broader than in 2019. Watershed was asked to consider the StFX Sexual Violence Response Policy (the "Policy") and related policies and practices, and to engage in consultations on what can be improved. More broadly, Watershed was asked to consider "the broader campus culture relative to sexualized violence, including but not limited to, power dynamics, attitudes towards consent, and the impact of social norms on reporting, particularly within the context of residence and athletics".<sup>3</sup>

The Independent Review Panel (IRP), comprised legal experts in the field (IRP Chair Joanna Birenbaum, Professor Elaine Craig, and Professor Maria Dugas),<sup>4</sup> is the same panel as conducted the review in 2019.

---

<sup>1</sup> Canadian Centre for Legal Innovation in Sexual Assault Response (CCLISAR).

<sup>2</sup> The StFX Community Code of Conduct policy and procedure.

<sup>3</sup> see Terms of Reference at Appendix A.

<sup>4</sup> see Biographies at Appendix B.



As will be discussed below, we were very pleased to be asked to return to StFX and, more importantly, impressed to see the changes implemented and progress made by the University over a period of less than four years. As with our 2019 review, we were also heartened by the high interest in attending our 2024 consultations and the thoughtful and valuable contributions made by students, faculty, staff and administrators at StFX. From the IRP's perspective, the issues and process were treated with seriousness and commitment across the board.

### **The Independent Review Panel Process**

The IRP conducted its review over a period of approximately six months and devoted over eight days to meeting with, and hearing from, StFX students, faculty and staff.

In early 2024 we engaged in document review, including a review of closed and anonymized StFX case files of sexual violence reports made under the Policy. On February 8 and 9, 2024, we attended at StFX for two full days of in-person meetings, including evening meetings, to ensure students had a variety of opportunities to meet with us. We also held, in total, six additional days of meetings by Zoom. We met with a wide variety of front-line staff and students involved in the implementation of sexual violence prevention and response policies and activities at StFX. We met with the heads of departments and senior administration, including the Vice President and Provost. We did not ask to meet with the President and the President did not ask to meet with us. Having regard to the focus on athletics and residence life, we met with student athletes and community advisors (residence "dons"), as well as coaches, staff and directors responsible for athletics and residences. The IRP received confidential requests for meetings, and received feedback and submissions, through a confidential Watershed email address. Following these extensive consultations, the IRP prepared a discussion document which summarized the key themes emerging from this process and some proposed recommendations. This document was considered by StFX representatives (including a student representative) and external experts selected by the IRP in a full-day "Expert Advisory Group" (EAG) workshop. The IRP's final report is a product of this intensive and collaborative consultation process.

It is Watershed's policy that its Final Reports will be made public. In this way, Watershed seeks to share knowledge on evolving and emerging practices in responses to sexualized violence.



It should be noted that the IRP's mandate was to listen, report on what we heard and read, and make recommendations for progressive change. We are not making findings of fact and the examples used are illustrative and selective.

Watershed recognizes that there may be nuance or realities specific to StFX that need to be considered further by the University and its community once this report and its recommendations have been released, before changes can be pursued.

## **B. POSITIVE CHANGE TO POLICY AND PRACTICE AT STFX, 2019 – 2024**

There have been very significant positive changes implemented by StFX since 2019. This is true in terms of policy reforms, structural changes at the University, changes to practices and procedures, and cultural reform (particularly within university residences) targeted at responding to the norms and social settings which contribute to the proliferation of sex- and gender-based harms on campus. These changes are remarkable, and StFX is to be commended for implementing them with the degree of commitment and expediency demonstrated.

Following Watershed's report in 2019, StFX quickly approved a new Policy and hired an expert in sexual violence (who previously worked as a Sexual Assault Nurse Examiner), to fill the role of Sexual Violence Prevention and Response Advocate (SVPRA) full-time under the Policy.

In our consultations, the feedback on the work and role of the SVPRA was excellent. As will be discussed below, the only consistent concern raised about the SVPRA was that the role is under-resourced and overstretched. The job of receiving disclosures and advocating for students who have experienced sexual harm as well as supporting the prevention and education work is too big for one person to manage. While the SVPRA understandably cannot be the right person for every individual on a campus of approximately 5000 students, those who sought support elsewhere still spoke of the SVPRA with respect. As will be discussed below, although some of the SVPRA's work (such as prevention and education) is supported by other employees in Student Services,<sup>5</sup> this important support is not sufficient.

A common theme at all universities with which Watershed has worked is a lack of knowledge and/or understanding among community members about a university's policy: students

---

<sup>5</sup> We were told that this support represents the equivalent of 0.5 of another full-time staff member.



consistently tell us that they don't know how the policy works, and don't or wouldn't know what to do if they were assaulted or received a disclosure.<sup>6</sup> We heard this concern from faculty, staff and students in our 2024 consultations at StFX. There is no question that students are unfamiliar with the details of the University's Policy. It is, after all, a somewhat lengthy and technical document. But interestingly, and in contrast to 2019, when we asked students what they would do if they received a disclosure or experienced sexual violence the vast majority, in fact, did know what to do: they were aware of the SVpra as the person/place to contact to receive information and support. They told us, "we'd call Heather."

Similarly, most staff and faculty we spoke to were aware of the SVpra and their obligation to refer students and colleagues to the SVpra upon learning about an incident or issue relating to sexual violence.

In our view, the marker of success is not that the student body is intimately familiar with the details of the Policy's procedures, but rather that they know where to go to get information and support should they need it. In our consultations, there was broad awareness of the SVpra and the SVpra's role. This is a remarkable change from 2019 and a significant achievement for any PSI.

This relative success does not mean that more training isn't needed on the role of the SVpra and the Policy. More training is recommended, as will be discussed below. But StFX has succeeded to date in this first and very important step of creating a centralized office for disclosures and reports, and promoting broad awareness about this office within the campus community. Awareness is an intractable problem at every PSI with which we have worked, and it is extraordinary that so much progress has been made on this issue at StFX.

In all of our consultations, and particularly with those who are responsible for implementing or administering the Policy and those who have interacted with it, the IRP asked about the Policy: "What works? What doesn't work? What needs to change?" The feedback we received was overwhelmingly positive: the Policy is clear and is generally working well. As one senior administrator put it, "The Policy gave me what I needed to make a decision, [both in terms of process and outcome]." We heard positive feedback on the supports available to both complainants/reporters and respondents in the investigation process, including with respect to student respondents being offered support through the Student Life office.

---

<sup>6</sup> We believe this is true of post-secondary institutions (PSIs), generally.





In terms of the quality of the investigations and administrative responses under the new Policy, the IRP reviewed closed and anonymized student files that were investigated in the period of 2019-2023. The investigations that we reviewed were undertaken in a timely way (i.e. from the date of the initiation of the complaint to its conclusion), with documentation of supports offered to respondents and reporters. The investigation reports were professional, well-reasoned and well-written. The IRP heard consistently positive feedback about the internal investigator. In the files we reviewed where findings that a student had engaged in misconduct under the Policy were made, this outcome was determined and sanctions were imposed in accordance with the Policy. The files we reviewed revealed professional application and administration of the Policy, serious findings being made, and serious outcomes being imposed on student respondents where appropriate. This is a significant area of improvement relative to our review in 2019.

We were told that Immediate Measures under the Policy are imposed following a disclosure (or a report), but that many students who disclose sexual violence do not want the University to reveal their name to the respondent in order to access Immediate Measures. Where Immediate Measures following a disclosure are imposed, they range from no-contact orders (being the most common), to residence relocation or residence guest bans, to restricted access to campus (being less common).

We appreciate the frustration, which we heard consistently in our consultations, that there is little-to-no public information about the action that StFX takes in individual cases. This is an area in which PSIs across the country find themselves in a 'no win' situation. They are legally bound to respect the privacy of respondents and complainants (which protection is also frequently consistent with a survivor-centred approach), yet the University's 'silence' often means the community believes nothing is being done and/or that reports are 'swept under the rug.' The University is hamstrung in addressing this concern, because it can't speak publicly. The IRP heard, in almost every meeting, criticism of StFX's official communications about incidents of sexual violence (or lack thereof). At StFX, in particular, community members appear to have a very high expectation that information will be shared, and we heard consistently that community members expect more information about incidents of sexual violence than the University shares (or is legally able to share). Despite the pervasiveness of this concern and the suggestion that StFX should say *more* about individual disclosures and reports, the IRP's recommendation is that StFX should say *less* and reduce, rather than increase, public communications related to individual cases. As outlined below,



our recommendation instead is to increase and amplify communications about aggregate data and trends, as well as education and prevention efforts.

Another area of significant improvement since 2019 relates to the training of students, particularly incoming first-year students, very early in the academic year - during orientation. As will be discussed further below, first-year students are expected to complete two sets of trainings. Before they arrive on campus, students are expected to complete four on-line training modules, that comprise the “[Xaverian Community Foundation Certificate](#)” (XCF Certificate). The modules include education on consent, academic integrity, healthy socializing (including alcohol use), and anti-racism. At some PSIs, it is mandatory that students complete such on-line training prior to being permitted to move into residence; at other PSIs, students must complete the consent and other training modules before being permitted to register for courses.<sup>7</sup> The StFX Senate recently passed a motion that students not be permitted to enrol in second year if they have not completed the XCF Certificate. The modules’ purposes include setting standards and expectations by ensuring that all students have a common understanding of consent, the Policy, and the supports under the Policy.

In addition to the on-line modules, StFX makes significant effort to ensure that all first-year students receive in-person training as part of orientation. The trainings, referred to as “Blitz Day,” includes “[Waves of Change](#)” training. As explained on the StFX website, Waves of Change training was developed by the Antigonish Women’s Resource Centre and Sexual Assault Services Association “with funding from Justice Canada and in partnership with various Nova Scotian post-secondary institutions, in order to address sexualized violence on campus.”<sup>8</sup> The Waves of Change training is supported by the SVPRA, paid and volunteer student trainers and educators, and the equivalent of a 0.5 full-time staff position (comprising the time and effort of administrators and staff responsible for student services in organizing and implementing Blitz Day and the XCF Certificate). Recommendations will be made below to continue to improve the “Waves of Change” training, including by better resourcing the SVPRA’s office and student services, since the training is having a positive impact, in the IRP’s view.

A further area of improvement that had begun when the IRP conducted its first review in 2019 relates to StFX’s attempts to disrupt problematic and harmful customs (such as hazing

---

<sup>7</sup> Some PSIs require this training to be completed later, such as prior to second semester or the second year of study.

<sup>8</sup> St Francis Xavier University, “Waves of Change: Creating Campus Responses to Sexual Violence”, online: <https://www.stfx.ca/student-services/support-services/visible-at-x/prevention-awareness/waves-change>.



practices and rituals in residences) while honouring the importance of tradition to StFX alumnae, their families, and future generations of StFX students. Prior to 2019, certain events (such as “Burmac,” the intramural hockey game and rivalry between Burke Hall and MacIsaac Hall) had already been cancelled. Similarly, in approximately 2018/2019, StFX changed Cameron Hall and MacKinnon Hall from single-sex to co-ed residences, in order to address harmful behaviour and experiences perceived to be entrenched in the culture of these residences. We also heard that other recent changes which have had a positive impact include the hiring/staffing decision to have seven full-time Residence Life Coordinator (RLC) positions, who are full-time staff (not students) and who live on-campus (although not necessarily in the building for which they are responsible). The IRP strongly supports the allocation of resources to the RLC positions and recommends StFX aim to fill eight positions. The information received in our consultation indicates that the RLC role has a significant positive impact on residence culture and in minimizing/addressing harm and/or harmful behaviour before it escalates. In addition, in the 2023-2024 academic year, the RLCs were required to work in their residence buildings, alongside the student staff (Community Advisors or “CAs”), for the high impact weekends of the first term, which is a time of heightened risk for students.

Having regard to the IRP’s mandate to consider sexual violence in residences, the panel asked students about hazing or other traditions that might exclude, harm or otherwise contribute to a culture that normalizes sexual violence. We heard that, although harmful misogynist, racist and homophobic behaviour persists (as it does in university residences across Canada), certain traditions have continued to decline, such as traditions where students were given rude, and sometimes gendered and misogynist, nicknames. We further heard that StFX has continued its efforts to enhance a residence culture that values inclusion, well-being and safety. Change takes time and the IRP did hear about continued troubling behaviour and traditions at certain residences, as well as off-campus, but connected to those residences, that is likely to contribute to a culture that perpetuates sexual violence. We heard from numerous members of the StFX community that, while more needs to be done, “things are getting better” in terms of harmful behaviour and traditions associated with residences.

As noted, the IRP’s 2024 mandate included a specific focus on athletics. This appeared to the IRP to be particularly critical, given the extent to which athletics was identified as an area of concern in our consultations in both 2019 and 2024. Areas of improvement and the many remaining challenges relating to athletics are discussed below.



### C. THE SYSTEMIC CONTEXT: BARRIERS TO DISCLOSURES AND REPORTS OF SEXUAL VIOLENCE

It is important to situate the IRP’s review of StFX within the wider reality that rates of sexual violence are extremely high everywhere in Canada (and globally), and that relatively few disclosures and reports are made, whether to the police or to other institutions, such as universities.

Recommendations 13 and 14 of the Mass Casualty Commission’s Final Report urged all levels of government, and non-governmental institutions (including “learning institutions”), to declare gender-based, intimate partner, and family violence to be an epidemic that warrants a meaningful and sustained society-wide response and that federal, provincial and territorial government funding to end gender-based violence be commensurate with the scale of the problem.<sup>9</sup> The World Health Organization has similarly stated that violence against women is a “global problem of pandemic proportions.”<sup>10</sup> In August, 2023, in response to a coroner’s inquest into the murder of three women in Renfrew, Ontario, the federal government described gender-based violence as an “epidemic.”<sup>11</sup> Similarly, in July, 2023, the City of Toronto adopted a motion declaring “intimate partner and gender-based violence an epidemic.”<sup>12</sup> In 2019, the Supreme Court of Canada in *R v. Barton* commenced its decision by stating that “without a doubt, eliminating myths, stereotypes, and sexual violence against women is one of the more pressing challenges we face as a society. While serious efforts are being made by a range of actors to address and remedy these failings both within the criminal justice system and throughout Canadian society more broadly [...] more needs to be done. Put simply, we can — and *must*— do better.”<sup>13</sup> In 2022, the Supreme Court of Canada in *R v. J.J.* described the picture as “bleak.”<sup>14</sup>

Research demonstrates that approximately one-in-four North American women will be sexually assaulted during their lifetime, with an estimated 600,000 sexual assaults happening

---

<sup>9</sup> Canada, Mass Casualty Commission, *Turning the Tide Together: Final Report of the Mass Casualty Commission*, List of Recommendations (Ottawa: Privy Council Office, 2023) at V.13 & V.14.

<sup>10</sup> World Health Organization, “Violence Against Women”, online: <[https://www.who.int/health-topics/violence-against-women#tab=tab\\_2](https://www.who.int/health-topics/violence-against-women#tab=tab_2)>.

<sup>11</sup> Letter from The Honourable Arif Virani to Dr David A Cameron (14 August, 2023), online: <[https://www.documentcloud.org/documents/23919401-ckw-justice\\_attorney-general-response](https://www.documentcloud.org/documents/23919401-ckw-justice_attorney-general-response)>.

<sup>12</sup> City of Toronto, City Council, *Item - 2023.CC8.2* (City Council Consideration), (Toronto: Toronto City Clerk, 20 July, 2023), online: <<https://secure.toronto.ca/council/agenda-item.do?item=2023.CC8.2>>.

<sup>13</sup> *R v Barton*, 2019 SCC 33 at para 1.

<sup>14</sup> *R v JJ*, 2022 SCC 28 at para 2.



in Canada every year. Some victims are at higher risk due to intersecting oppressions, including on the basis of disability, Indigeneity, citizenship, sexuality, race, poverty and gender identity. While all persons may be victims or perpetrators of sexual assault, the vast majority of perpetrators of sexual violence are male.

Research based on American and Canadian data estimates that approximately 20% of female college students experience sexual assault during their postsecondary education.<sup>15</sup> A 2019 Statistics Canada report, *Students' Experiences of Unwanted Sexual Behaviours and Sexual Assault at Post Secondary Schools in the Canadian Provinces, 2019*,<sup>16</sup> paints a similarly bleak picture. The study reported that:

- Fewer than 5% of sexual assaults are reported to the police.
- Fewer than 10% of survivors who experienced sexual violence at their PSI disclosed to anyone at the institution.<sup>17</sup>
- 71% of students at Canadian PSIs witnessed or experienced unwanted sexualized behaviour, 80% of it perpetrated by fellow students.
- 92% of men and 91% of women students did not intervene, seek help or take other action when witnessing sexual violence.
- The proportion of women students who had both experienced and witnessed certain unwanted sexual attention (like “cat calls”) was five times higher than men.
- One-in-ten (11%) of women students who participated in the Statistics Canada study experienced a sexual assault in a postsecondary setting during the previous year. About one-in-five (19%) women who were sexually assaulted said that the assault took the form of a sexual activity to which they did not consent after they had agreed

---

<sup>15</sup> Irene Shankar & Scharie D Tavcer, “‘Good People with Good Intentions’: Deconstructing A Post-Secondary Institution’s Sexual Violence Policy Construction’ (2021) 19 CJEAP 2 at 2.

<sup>16</sup> Statistics Canada, “Students’ experiences of unwanted sexualized behaviours and sexual assault at postsecondary schools in the Canadian provinces, 2019,” by Marta Burczycka, Catalogue No 85-002-X (Ottawa: *Juristat*, 14 September 2020).

<sup>17</sup> This statistic does not include disclosures to friends, but includes disclosures to faculty members, peer support groups, school administrators and student-led services.



to another form of sexual activity—for example, agreeing to have protected sex and then learning it had been unprotected sex.

In our consultations, we similarly heard concerns that students do not always identify sexual violence as such, such as where they had initially agreed to sexual contact, but where ongoing affirmative consent was not provided.

Generally, in society, and similarly on campuses, the reasons why survivors do not disclose or report sexual violence include shame, self-blame, minimization of the experience, and not wanting to confront the betrayal or victimization by the person who assaulted them. Also significant is fear of negative consequences from reporting, including not being believed and retaliation.

StFX is an institution that operates within the larger cultural landscape in which sexual violence is endemic, and the barriers to disclosures and reports that exist in society at large exist at StFX as well.

In the campus setting, however, and particularly on relatively small campuses like StFX, specific barriers to reporting are raised. In our consultations, the IRP heard repeatedly that, due to the social capital of certain students (especially athletes) and what was perceived to be the rumour mill of a small community, a significant barrier to reporting is the fear of negative social repercussions.

Finally, in the IRP's consultations we were asked to acknowledge the body of literature that draws a connection between masculinities in sport (noting that the expression of masculinity may differ as between sports), physical violence and aggression in sport, and the perpetration of sexual violence. The IRP acknowledges that, as in every discipline, aspects of this literature may be contested. For the purposes of this report, however, the IRP simply notes that connections between masculinity in male sports, physical violence and aggression, and sexual violence, should be seriously considered, particularly when StFX implements the IRP's recommendations in this report as they relate to athletics.

The above discussion frames the remainder of this report, including by recognizing that:

- The disclosures received by the SVRPA represent only a very small percentage of the instances of sexual assault and other unwanted sexual behaviours that are occurring on- and off-campus.



- The barriers to disclosing and reporting sexual violence by students with social capital (a category into which varsity and club athletes fall) are very high.
- From our perspective, an increase in the number of disclosures received by a PSI's sexual violence office indicates improvement with respect to a university's overall response to sexual violence, the administration of its sexual violence policy, consent and sexual violence education on campus, the supports available to survivors, and campus culture generally. It is a positive sign if the StFX SVPRA is consistently receiving disclosures.
- Sexual violence, and the normalization of it through social and cultural practices, is not unique to StFX.

The rest of this report will focus on specific areas of feedback that the IRP heard in our consultations and observed in our review of documents and cases, as well as the IRP's recommendations for progressive change.

The three (in some respects overlapping) areas addressed in sections D, E and F, below are:

- D. Athletics
- E. Residences
- F. StFX Sexual Violence Policy & Practices Under the Policy

## **D. ATHLETICS**

### **Introductory Observations**

Varsity athletics is a point of significant pride, recruitment, community, and fundraising for StFX. Sport is not just important to the StFX culture, but to the Antigonish community as well. We heard on many occasions that the StFX sports teams (men's hockey, football and basketball, in particular) are part of the social fabric of Antigonish.

It is not surprising, then, that student athletes are very visible at StFX, including because they often wear varsity clothing, and have significant social capital. In addition to their physical presence on campus (resulting in athletes having an arguably disproportionate visibility and



impact), we also heard that the importance and presence of athletics is amplified on campus due to the resourcing of communications/social media for varsity athletics teams.

It is also important to note that there are two types of athletes on campus: varsity athletes and club sport athletes. Although many of the consultations held by the IRP related to varsity athletics, club sport athletes also benefit from social capital (as do other athletes, such as Junior B hockey players, some of whom also live in residence). We also heard that, for some in the student body who have experienced social exclusion and discrimination, there was little distinction between club and varsity sports in terms of who is important and privileged on campus.

In our consultations we, heard repeated concerns about the ways in which athletes at StFX are “put on a pedestal,” with the implication being that StFX (or at least the athletics department) turns a blind eye to, or overlooks, inappropriate conduct by varsity athletes. Others, however, pointed out that student athletes are, in fact, subjected to higher standards and expectations, and significant scrutiny, because of their visibility. They also pointed out that to the extent that athletes are sometimes put in leadership positions, this results in them being called upon by the StFX administration and faculty, with requests and expectations that they will offer their time and support for campus life outside of athletics. It was clear to the IRP that being a varsity athlete at StFX is a position which attracts substantial scrutiny as well as significant social and other benefits.

As will be discussed below, what was also clear to the IRP is that, whether objectively verifiable and true or not, there is a very strong perception, that male athletes are disproportionately perpetrators of sexual violence and that athletics leadership and the StFX administration protects athletes from consequences. We heard these concerns expressed in many meetings, from persons in a variety of positions within the University, and from those who have not been involved in advocacy on this issue in the past. As already noted, most sexual violence does not get reported and statistics on formal reports do not present a profile of sexual violence on campus.

The number of reported cases that resulted in closed files over the period we examined is too small to draw any conclusions regarding the profile of respondents. Whether there are more, fewer, or the same number of athlete and non-athlete perpetrators of sexualized violence at the University cannot be discerned from such a small sample. Nor are anecdotal evidence and claims, such as those offered to the IRP during consultations, a reliable source upon which to draw quantitative conclusions on an issue of this nature.





However, our review did yield two clear observations related to athletics. First, we saw no evidence that when a formal report under the Policy is made against an athlete at StFX the University treats them differently than any other community member, or that the University fails to impose timely consequences as appropriate. Instead, the IRP's review of closed investigation files confirmed that formal reports involving athletes are treated very seriously by StFX, including in terms of consequences where a finding of misconduct under the Policy was made.

Second, despite this, the broadly held perceptions that athletes (or members of certain athletic teams) disproportionately perpetrate sexual violence with impunity, and that the University insulates them from consequences when this is brought to its attention, present significant barriers to disclosures and reports of any sexual misconduct that might involve (varsity and club) athletes at StFX. It does not matter whether the basis for the perception is true. As will be discussed below, the valorization of athletes, the disproportionate social capital they enjoy on campus, and the indicia of gender imbalance between men's and women's varsity teams all further and reinforce a culture on campus in which students who have experienced sexual violence perpetrated by an athlete are very likely to feel reluctant to come forward. Moreover, this perception is likely to have an adverse effect on the reporting culture on campus more broadly.

Athletes and non-athletes alike told us that they would never report a student athlete because the social consequences were too serious, because of the perceived power of the athletics administration and because of a perception, which we concluded is not well-founded, that the University would 'do nothing' and protect the perpetrator because he was an athlete.

Due to the depth and pervasiveness of this negative perception of athletics expressed to the IRP in our consultations, it is insufficient for the University administration or the administration of athletics to respond by saying it's inaccurate or unfair, even if aspects of it are so. Very significant and visible change is needed to combat this perception to improve campus culture.

There are two key insights that will be critical to progressing change and remediating the negative perception of athletics and its impact on StFX's culture of reporting and disclosure. The first is that the problem of sexual violence, within and outside of athletics, is systemic and endemic and must be treated as such, with a sophisticated understanding of, among



other things, the relationship between the power enjoyed by athletes and gendered violence. The IRP's perception is that when a varsity athlete at StFX is found to have engaged in sexual misconduct, they are then construed by some within StFX administration and/or leadership as a 'bad apple' to be eradicated from the athletics community. The sexual misconduct is understood as a one-off anomaly perpetrated by this bad actor contrary to StFX culture rather than part of, or flowing from, the harmful aspects of StFX culture (and the broader culture, including cultures within athletics, generally).

The second key insight necessary to advance change in this area is a recognition of the relationship between gender inequity in varsity sports at the University and the adverse impact that the culture of varsity sports at StFX likely has on the University's reporting and disclosure culture. More specifically, there is a relationship between the hierarchical valuation of specific male varsity teams relative to women's teams<sup>18</sup> and the widespread perception at StFX that male athletes are untouchable or unrepachable, and that the University would protect them if their sexual misconduct were reported. Fixing the gender inequities in sport at StFX will be key to remediating the perception that StFX protects male athletes from the consequences of their harmful sexual behavior.

### **Athletics Equity and Safe Sport Committee**

At the same time that StFX engaged Watershed to conduct this review, StFX also committed to an initiative to study equity in sport at StFX by establishing an internal Athletics Equity and Safe Sport Committee. The IRP recognizes that there is significant overlap between some of its observations and the anticipated scope of work of the Athletics Equity and Safe Sport Committee. As a result, some of the areas of gender inequity in sport, of which StFX is well aware (such as the fact that there are no female-identified head coaches on staff at StFX) will be mentioned in this report, but will not be explored in depth. Having regard to the ongoing work of the Athletics Equity and Safe Sport Committee, some of our recommendations will be framed as considerations for the Committee to further pursue or review.

The Equity and Sport Committee is currently an internal committee, co-chaired by the VP Finance and the VP Students. The IRP understands that StFX is trying to achieve 'change from within' with the equity and safe sport initiative, and that bringing people within the institution on-board is perhaps the most effective way to pursue this objective. Certainly,

---

<sup>18</sup> This includes both the real and perceived differences in how these teams are treated and celebrated and the differential social location that they occupy on campus.



involvement from people internal to the institution will be critical to the work of the Committee.

On the other hand, the IRP heard consistently in our consultations that the University community will not ultimately trust the Committee, or any outcomes promoted by the Committee, unless the Committee, or at least its chair, is external to, and independent of, the University.

Regardless of the good faith and skill of members of the Committee, the reality presented to the IRP is that the community perceives problems and protectionism in athletics to be deeply ingrained, and that these issues cannot be effectively addressed by a purely internal committee. If the StFX community perceives an internal committee to lack independence or integrity, the Committee will not ultimately achieve the culture change that is at the core of its mandate. In addition, without an external chair the work of this committee is unlikely to proceed efficiently, with other crises or pressures taking priority.

Accordingly, the IRP recommends below that the Athletics Equity and Safe Sport initiative be directed and chaired by an external member on a one-year timeline to review relevant documents and create a plan of action, and to produce a report that is transparent, public and delivered to the President.

### **Student Athletes: Power Dynamics, Culture, Perpetration, and Community Perception**

The culture of sport has long been infected with sexism and homophobia. It is no specific criticism of StFX that these concerns, true in almost all sports, should be levelled at StFX sports teams and culture.

Relevant to the concerns expressed about sexual violence and sport at StFX is the perception (and reality) of a hierarchy among sports at StFX. It is consistent with hierarchies at other institutions in Canada, with the top three varsity teams in terms of social capital appearing to be men's football, basketball and hockey. Fundraising over the past four years appears to track this hierarchy with men's football raising over \$1,000,000,<sup>19</sup> men's basketball raising approximately \$270,000 and men's hockey raising \$102,000.<sup>20</sup>

---

<sup>19</sup> Note that this team is at least four times the size of other teams.

<sup>20</sup> Note that this team arguably has better access to certain types of scholarships.



There appear to be two related components to the concerns about sexual violence in sport at StFX. The first, as discussed above, is the perception on campus that varsity athletes (and the men from the 'top three' teams, in particular) are disproportionately perpetrators of sexual violence, including misogynistic comments and harassment. The second concern we heard is that the administration of the athletics department at StFX does not accept responsibility for or recognize the extent of the problem, that the issue of sexual violence in sport is siloed ("what happens in athletics stays in athletics") and that athletics is protected by the senior administration at StFX. As discussed above, we also heard concerns that the administration of the athletics department minimizes or fails to understand how insidious acts, comments or patterns of behaviour (particularly when combined with power) are connected to a culture that normalizes and perpetuates sexual violence, and that it appears to consider sexual violence to be only the most 'serious' conduct (e.g. rape) perpetrated by individual bad apples.

In response to the above concerns, many from within as well as outside of athletics expressed frustration that despite all of the changes and good work occurring within the athletics department in recent years, they cannot shed the stigma of an inherited past, including unfounded rumours, some over a decade old, that never had a solid foundation. We heard the view that athletics was being unfairly targeted and that some of the student athletes who had been charged with sexual offences were not even StFX athletes at the relevant times. The athletics department emphasized how much has changed and how seriously sexual violence is taken.

The IRP acknowledges that athletics at StFX is burdened by the past and that it is no doubt very difficult for the coaches and athletes, who are dedicated to change, to be at the receiving end of such persistent criticism, particularly when individual incidents become public.

At the same time, not everything is a problem of the past.

The IRP will give a few examples. In so doing, the IRP is attentive to the problem that rumours at StFX can sometimes take on a life of their own. In our consultations, we were careful to ask follow-up questions about the sources of information and the time period of incidents or experiences to ensure that the individual's experience was within the past four years.



Our consultations suggest that certain concerns about the culture of athletes (the football, basketball and hockey teams being raised most frequently) are not only based on long-outdated rumours, myths or events. It is noted that the size of the football team (125 players) makes their presence on campus unique, as well as the young age of first-year players as compared to the hockey team, for example, who tend to be older and thus potentially more mature. There was also speculation that perpetration may be contributed to by alcohol or, for some, their youth/inexperience (being first-years), possible relative peripheral standing on the team, and the use of their status as a varsity footballer for sexual access. We also heard that certain rituals that contribute to sexual violence remain or at least were present on campus within the last three or four years, if not in the 2023-2024 academic year. For example, we were told about the “kill count” amongst male athletes, involving competitions to sleep with the greatest number of women. We heard from students and staff with knowledge of student residences, that the “kill count” had been referred to by male team members and had impacted women in residence in the last two years. We cannot confirm this happened or continued into 2023-2024, after the administration took steps (again) to end the practice.

We did not hear that any head coach in the athletics department was aware of such behaviour and failed to do anything about it. When we met with the coaches, they were emphatic that they would not tolerate misogynist or homophobic behaviour. We also note that leadership by coaches can help stamp out problematic behaviour, but that coaches can only take steps, in coordination with other departments at StFX, to address behaviour outside of training when it comes to their attention.

It is difficult to understand the power dynamics specific to athletics that are relevant to attitudes toward consent, sexual entitlement and barriers to disclosing and reporting, without being concrete. Accordingly, a few other examples of campus culture related to athletics of which we were advised during our consultations are set out below.

A first example involves an Antigonish business that StFX students frequent. We were told by numerous people that when student athletes employed at the business are in charge of admissions (i.e. as bouncers), the establishment has a VIP line or entrance for male athletes from StFX (particularly the football and basketball teams). Even female athletes do not have access to the line. They are treated like any other “NARP” (defined below). We were also told that the business will dedicate a night to celebrate the achievements of various men’s varsity teams (e.g. an Atlantic University Sport (AUS) championship) but not for women’s teams, even when the women’s teams might have been more successful. We did not



consider it within our terms of reference to consult with the owners of this establishment and, therefore, want to be clear that these accounts are based on what was reported to us by students.

The location is a private business and not within the control of the University. However, if these accounts are accurate, and if the male varsity teams serve the leadership function that they were repeatedly represented to us as serving during our consultations (by athletics administration, coaches, senior administrators, and male athletes), we would expect that in 2024 these teams would refuse to participate or be involved whatsoever in any community event, or lend the X-Men brand to a tradition off-campus that supports discriminatory behaviour or norms. We would expect coaches of teams to make clear that it was contrary to the ethos at StFX to participate in, be complicit in, or lend the X-Men brand to this type of off-campus activity by athletes, and that athletes who did so would be appropriately disciplined within the context of the team, as they would be for violating other team norms, expectations and rules.

We also heard accounts of somewhat more subtle behaviour that contributes to a culture of entitlement that is, for this reason, on the continuum of sexual violence. For example, we were told that, in the recent past (but prior to the 2023-2024 academic year), members of the men's basketball team who were travelling on a bus with the women's basketball team took up two seats (one row) per person, and would not move their bodies or bags until the bus driver, in frustration, said the bus wouldn't travel until the women standing in the aisle were given a seat. We were not told that a coach was on the bus at the time of this incident.

Another example of how individual issues can snowball into a culture, involves kinesiology students in their capacity as student athletic therapists on the team, providing "water boy/girl" services to the football players. These students are offered the experience of mentoring with the athletic therapists as team student athletic therapists (ATs). This is an excellent learning opportunity for students whose career goals include athletic therapy and physiotherapy, amongst other professions. The football team generally has volunteer "water boys" whose job it is to run onto the field and deliver water bottles to the players. When the water boys are not able to travel with the team or attend a game, the women student therapists, who have an otherwise professional role on the team to assist with injuries, fill the gap. We heard one story where, after a player went down and the AT ran onto the field to assist, a spectator asked incredulously: "what's the water girl doing there?" We understand that the spirit in which the ATs were asked to help run water to the football players was one of 'everyone helping in every way they can.' The negative impact on these



women students' integrity and confidence as skilled health care providers, however, was reported to us as substantial and, in our view, inherently gendered.

Another example relevant to the culture of entitlement or superiority in athletics is the term "NARP" ("non-athletic regular person") used everywhere at StFX to refer to all students who are not athletes. The term could be lighthearted and funny, but many take it quite seriously. However serious or not the intentions or the origins, it reflects and perpetuates the power held by athletes.

Another issue, perhaps because of the team's size, relates to the incoming football team members in student residences at the beginning of the school term. There were reports of inappropriate behaviour by team members living in residence.<sup>21</sup> Certainly, in certain residences, non-athlete students also engage in problematic behaviour, and one could argue that it's unfair to single out the football players. Among the differences, however, is that due to their training schedule, football players are not required to attend various orientation trainings with the other students in their residence, contributing to the perception that the football players are above such trainings (even if they receive the training earlier or at another time).

In the IRP's consultations with non-athlete students, and particularly those who are queer-identifying, we heard that many did not feel safe going to the gym. In fact, students who consulted with us shared that their discomfort was so serious that they would not even go into the building where the athletics facilities are located. For clarity, the IRP was advised by StFX that it was not aware of any formal reports from 2SLGBTQIA+ students related to harassment by athletes in the gym. StFX administration also advised that, as part of building an improved and inclusive campus climate, it had taken steps through the Equity Advisor to address exclusion from the gym/sports, including co-hosting an event (or events) with student athletes and students engaged with the Equity Peer Mentors.

Concerns about sexual harassment perpetrated by athletes from the "top three" teams was also expressed by some women within athletics. One such account described inappropriate/misogynist comments made by a group of players to each other (not directed at passers-by) but loud enough for others to hear and/or without care for whether others around could hear. Another woman player said that if she was walking alone at night and not herself (as in, if she were a "NARP"), she would be afraid or very concerned about their

---

<sup>21</sup> This included urinating in garbage cans, in the laundry room, and common areas.



behaviour. Both of these comments may well be true of other groups of men on campus, and not limited to certain groups of athletes, but it can be simultaneously the fact that athletes are over-scrutinized and that the behaviour is happening.

The purpose of the discussion above (and below) is not to tarnish the reputations of athletes or athletic teams at StFX. The purpose is to provide concrete examples of why and how there is still work to be done and why it is important for the Athletics Department to work with the SVpra to address a systemic culture of which athletics, at a minimum, is a part.

### **The Connection Between Inequalities within Athletics and Sexual Violence**

In the course of fulfilling our mandate, the IRP asked questions about equity in sport more generally at StFX. In response, it was suggested to us by some that these questions were not “in scope.” For this reason, we think it’s important to briefly explain the connection between gender inequality in sport, generally, and sexual violence. While the issue of gender inequity in sport is a much broader topic, these two issues are, for the purposes of our mandate, inextricably connected.

Gender inequality produces the social context in which sexual violence flourishes. Gender inequity makes male-identified people less able or willing to internalize norms of contemporaneous, affirmative and communicated consent. It makes women-identified people, non-binary people and queer people, more likely to experience sexual harm as shame-inducing and stigmatizing and less likely to come forward to access supports and report experiences of harmful sexual behavior. This is true of gender inequality, generally, and it is certainly true of gender inequity in sport, particularly in communities where sport is accorded significant social capital and occupies a place of prominence, as it does at StFX. As explained above, the key to progressive change at StFX will be a recognition by leadership in athletics and University administration of the relationship between gender inequity in sport at StFX and the widely held perception that the University insulates or would insulate varsity athletes from the consequences of their sexual misconduct.

As already noted, the IRP recognizes that, parallel to this independent review of sexual violence policies and practices at StFX, the Equity and Safe Sport Committee has been established to address equity in sport. In creating this committee, it was recognized that a lack of equity in sport at StFX perpetuates harmful attitudes and behaviours.





Among the concerns about inequity in sport at StFX discussed with the IRP were the following:

- Staff and coaching is male-dominated and lacks diversity. There is not a single woman head coach at StFX. This was explained by coaches being hired on the basis of merit.
- There is a perception, whether accurate or not, that scholarship allotments are inequitably distributed between to men's and women's teams;
- There is inequitable access to fundraising by men's and women's teams, resulting in inequity (real or perceived) in terms of support for gear, travel, and other benefits.

In our consultations, the IRP repeatedly asked whether StFX could institute a policy requiring that a percentage of all donations to “top three” men's varsity teams, or all men's teams who fundraise above a certain amount, be directed to a fund to achieve equity in sport. At the moment, a percentage of fundraising by the men's football team is directed to initiatives that are defined as benefiting the entire StFX community, such as gender-neutral bathrooms, lighting for athletics fields, and tree-planting/landscaping. When the IRP pressed the issue as to whether, and how, funding could be equalized, various concerns were expressed, including that donors can't be told how or where to donate their funds and that such a policy would risk losing donors. In the IRP's experience, however, these concerns are not substantiated. Universities can, and do, impose rules on donations, including for equity purposes. It is a policy choice which is available to StFX and one which the IRP recommends.

### **Other Observations Concerning Athletes**

The IRP asked about the racial makeup of the varsity teams. We were told, for example, that approximately 30% of the football team and 70% of the basketball team are racialized players. Being a racialized person at StFX in the overwhelmingly white community of Antigonish is almost certainly very challenging for most racialized students. In addition to the systemic barriers discussed elsewhere in this report, the status and sexualization of black male athletes in popular culture, particularly American culture, has an impact on campuses. Black male athletes at StFX, or on any campus in Canada, may experience discrimination which includes sexual advances due to their racial identity/appearance.

From the perspective of the athletes themselves, we heard that being an athlete as a racialized person can make all the difference in terms of inclusion and access to social life on



campus. These athletes recognized this as a further indicium of how racism, which is, of course, everywhere in Canadian society, manifests in specific ways in campus culture. More will be said below on what we were told by StFX on the particular impact of the COVID-19 years on the social isolation of racialized students which, we were told, has improved more recently.

### **The Culture of the Athletics Administration**

The IRP was told that equity in athletics, in general, and related to sexual violence, has improved significantly over the past five years or so.

In terms of sexual violence specifically, the IRP heard about disclosures being treated seriously and with sensitivity. Improvements have been made in the athletics varsity teams regarding the Waves of Change training which is now given early in the school year. All teams took the training in August or September in the 2022-2023 academic year, except for men's hockey which didn't complete the training until the end of the school year in April, 2023. The IRP heard from various participants, as well as the coaches themselves, about the coaches' commitment to change. The IRP also heard positive feedback about the progress made as a result of the efforts by head coaches, including of the "top three" teams.

We heard consistent positive feedback about the equal promotion of men's and women's teams and games on StFX websites and social media.

Although we heard that things are 'better,' there remain significant concerns expressed to the IRP by community members that, administratively, athletics' leadership 'doesn't get it.'

Athletics' leadership expressed frustration that they are doing more than they get credit for. It is very possible that this is true. But whether the problem is perceived or real, the IRP heard these concerns not just from persons who have been expressing such views for a long time, but much more broadly, including from persons who are newer to StFX.

The IRP acknowledges that there are challenges for a small university in a relatively small town, where it is sometimes difficult to attract new staff and where some staff maintain their positions at the university for a very long time, even many decades. When the coaches and/or administration of athletics are the same today as they were 10 or 20 years ago, or even longer, it is difficult to build trust and overcome long-held judgments.



As emphasized strongly above, this is one reason why the IRP recommends that the StFX Athletics Equity and Safe Sport Committee be chaired by someone external to the University, with some experience in university-level athletics, and knowledge and experience of equity and equality initiatives and principles.

One issue that was raised early on in the IRP's consultations at StFX related to the fundraising by the men's teams compared to the women's teams. We recognize that the football team is much bigger than others, with wide community support, and so has a much larger fundraising base. In the period January, 2019, and January, 2024, the football team raised over \$1,000,000. Women's rugby, which is a highly successful team, raised about 25% of that amount in the same period.

The IRP observed that outside of the men's basketball team locker room, there is a "wall of fame," with donors contributing to the wall, whereas the women's basketball team's "wall of fame" was empty. We were told that this was due to them not yet engaging in sufficient successful fundraising efforts. In the 2019-2024 period, the men's basketball team raised over four times the donations of the women's basketball team.

The IRP was told by more than one person in leadership positions at StFX that women athletes and former women athletes are not as oriented towards, nor motivated to, fundraise or donate relative to male athletes and former male athletes, including because of their focus on family after graduation. These views struck the IRP as, at a minimum, outdated and inaccurate.

The IRP was also told that most large donors are men over the age of 50, if not older. Socio-economically, older men tend to be more privileged than older women.

There is a second example of inequality at the administrative level built into the bricks and mortar. The newly built basketball court has "X-Men" and "X-Women" emblazoned on the floor on the long edges of the court. However, "X-Women" is emblazoned on the side of the court where the benches are placed during games, as a result of which only "X-Men" is visible during games. As a result, we were told that spectators don't see the "X-Women" logo on the court floor, only "X-Men." We were told that this issue was raised with administration before the flooring was laid, but the problem was not avoided.

A third example concerns the sexual violence to which a woman-identified peer-trainer was subjected in the Waves of Change training delivered to the men's basketball team in the



2022-2023 academic year. Players argued with the trainer about the content and demonstrated other overt signs of disrespect, such as by ignoring her and focussing instead on their smart phones. The trainer was subjected to offensive screen names adopted by the players for the purposes of the training session, such as related to the “cock” of the player(s). Not a single member of the team spoke out or exerted pressure on the insolent and disruptive team members to cease their sexual harassment and disrespectful behavior. To be clear, the coaches were not present to intervene, since there is benefit to the players receiving the training in a space in which they feel they can speak freely. No individual members of the team faced consequences for this behaviour. We were told that the team, as a whole, experienced certain training consequences: that they had to “run lines” and were required to re-attend the training, delivered this time by the SVPR. The team captains wrote a note of apology to the Athletics Director and an email of apology to the peer-trainer. The Panel’s perception was that this incident was minimized with the IRP by the administration of athletics, which we believe reflects a lack of understanding of how serious the incident was as an example of sexual harassment and intimidation.

More generally, we heard that athletics has not been receptive to involving the subject-matter expert sexual violence and equity and diversity staff into meetings, discussions, or decision-making, and that outreach by these staff to athletics has been ignored or rebuffed. In response, we were told that this criticism is unfair and inaccurate. We were told by StFX administration that athletics has indeed attempted to involve these staff, but that there have been issues with the SVPR and other staff’s availability. In this regard, part of the problem may be structural. If sexual violence and equity staff involvement isn’t prioritized and planned-out by the Athletics department well in advance of the commencement of the school year, and if systems of communication are not embedded, it is not surprising if schedules do not always align. Athletics also emphasized that since April 2023, there have been meetings and three training sessions with all coaches on sexual violence or equity topics. For the IRP’s purposes, the division in views between the two departments is significant, particularly given that the perception of siloing by athletics impacts trust in that department. As mentioned above, the solution is not for StFX to say that any inaccurate perceptions are unfair, but to build in structures to overcome them, and to ensure that the SVPR and EDI staff see their expertise integrated into the culture and programming of athletics.

The IRP offers the above observations and information from the consultations we conducted to inform StFX’s parallel equity and safe sport initiatives, and to substantiate why, in our view, the parallel equity and safe sport process needs to be directed and overseen by



someone external to, and independent from, StFX. The IRP also provides the above description of what we heard to identify the areas of concern and review which the IRP believes should be included in that process.

### **Homecoming and The Schedule for Men's and Women's Games**

StFX has already stated its commitment to equal funding and equal promotion of men's and women's sport.

Another positive example of change to prioritize and honour women's sport at StFX relates to Homecoming. Traditionally, the main headlining Homecoming Saturday afternoon event is a men's football game. In 2019, for the first time, the women's rugby game was the headliner event, with a commitment to alternate between men's football and women's rugby in successive years going forward.

COVID-19 disrupted Homecomings in 2020 and 2021, although StFX did host an AUS football game on Saturday, October 2, 2021, at the traditional homecoming time. While women's rugby was the Homecoming headline event in 2022, the IRP was told that, in fact, this only happened because the originally scheduled Homecoming weekend (which would have profiled men's football) had to be changed to align with National Truth and Reconciliation Day. As a result, the rugby schedule was the Saturday afternoon match.

Women's rugby was supposed to be the headlining event in 2024, but is not scheduled, and the headliner will again be men's football. The IRP was told by StFX administration that the reason why women's rugby is not the Homecoming headliner for 2024, is that initially the Executive decided to move Homecoming to the summer. That decision was later reversed, and Homecoming was set for October 2024, but by that point the AUS schedule had already been set.<sup>22</sup> The IRP is concerned, however, that there will always be scheduling or external reasons that will make (or will appear to make) prioritizing the women's game difficult. Even if women's rugby is the headliner in 2025, there has been a three-year gap.

The IRP describes the above as an example of just how hard it seems to be to put what would otherwise appear to be simple changes into lasting practice.

---

<sup>22</sup> The IRP was told that for 2024, women's basketball has been added as an afternoon game on the Homecoming Saturday, playing just prior to the men's football game, and both men's and women's soccer will play on Friday night.



The IRP understands that StFX is now working towards not only alternating men's and women's teams as the headliner event for Homecoming but also profiling additional teams, including soccer. The IRP encourages StFX to prioritize implementing this change.

Before leaving the topic of Homecoming, another important point to stress is the relationship between the Homecoming headliner event and fundraising for the team. The IRP was told that it was only after, or as a result of, the women's rugby team being the headliner Homecoming event, that they were able to raise approximately \$270,000 in donations. It would make sense that the energy and goodwill that flows from being profiled would boost women's fundraising abilities.

Considering the benefits of the Homecoming schedule change to the women's rugby team, the IRP asked athletes, coaches and members of the community about attendance at regular games and the timing of those games.

For all sports, to a greater or lesser degree, the men's games take prime slots. The IRP requested the game schedules for the varsity teams for each of the academic years since 2022. In 2023-2024, for example, of the 13 home games for men's basketball, nine were at 8:00pm on a Friday, Saturday or Wednesday night, whereas all of the 10 women's games were earlier, at 6:00pm. Men and women's hockey was a bit more even, but not equal. All of the 17 men's home games were played at 7:00pm, with 14 games held on Friday or Saturday nights and three games scheduled for 7:00pm on Wednesday nights. Of the 14 women's home games, four were 3:00pm games on a Sunday, two were 7:00pm weeknight games, and the remaining eight were played at 7:00pm on a Friday or Saturday night.

There was much discussion about the advantages and disadvantages of the women generally playing before the men, in less "prime time" slots. There was some suggestion that playing earlier is a competitive advantage. On the other hand, almost everyone we asked agreed that greater respect and reputation were associated with the primetime slot, as well as better attendance at the game.

The scheduling of games is an issue that falls squarely within the mandate of the StFX Equity and Safe Sport initiative. The IRP does, however, recommend that this issue be addressed in the equity and safe sport process. When it is considered, the IRP recommends that the Equity and Safe Sport Committee develop a strategy to change this practice which is so deeply gendered. Today, incontrovertibly gendered practices should be assessed with a



healthy dose of skepticism. Historically, practices that appear to have no explaining factor other than gender have tended to be to the benefit of men and the disadvantage of women. Whether 7:00pm on Friday and Saturday nights has become the prime game time slot because that is when men's sports teams have always played, or it is the prime time because that is when spectators are more likely to attend, or because we socially construct our public events to keep the headliner for last, is irrelevant. These time slots have become the 'prime time' and should not be divided along gendered lines. StFX could consider being leaders in this regard, encouraging other AUS members to follow their lead and insist that AUS schedules be more equitable across the board.

### **Information About Disclosure and Reporting Options for StFX Athletes**

In terms of disclosure and reporting of sexual violence by student athletes, the StFX Safe Sport webpage should make it much clearer that allegations of sexual violence should be disclosed and reported to the SVpra. For students whom we consulted, their understanding was that they should first speak to those within athletics, including up to the Director of Athletics. The first page of the September, 2021, "StFX Athletics, Reporting Options & Supporting Resources" document suggests that if a student is unsure whether an issue is within or outside of athletics, they should speak to their "head coach or respective sport administrator."

The website should also be updated to more clearly direct athletes to the SVpra as a safe disclosure point outside of athletics for all issues of sexual violence. During the Waves of Change and other training, this messaging can, and should, be reinforced.

### **Waves of Change Training for Varsity and Club Athletes**

Because the IRP's mandate included a focus on athletics, we asked the coaches and student athletes about the Waves of Change Training. As noted above, the feedback was, overall, positive.

There was discussion as to whether it would be better for the training to be professionalized (that is, professional trainers as opposed to peer-trainers). This is a difficult question to answer in the abstract, since it depends greatly on the quality of the trainer.

Assuming the peer-trainers are up for the difficult task of training their peers, the feedback we heard is that, generally, training co-delivered and facilitated by a trained person from



Visible@X (through the SVPRAs office) and a team member, is preferred. Students are more likely to listen to their peers than others, and within athletics, leadership by senior athletes is effective. It is noted that in the 2022-2023 academic year, no male basketball players volunteered or were put forward for this role on their team, and in 2023-2024, due to the incident of sexual violence perpetrated by players during the training the previous year, the training was conducted by the SVPRAs rather than a peer-trainer from Visible@X.

Among the reasons why students said they liked the Waves of Change training is that it gave them space to talk about things “we don’t usually talk about.”

Everyone with whom we consulted was unanimous that a second round of training for varsity athletes (and likewise, no doubt, for the whole student body) would be helpful. The suggestion we heard was that the second round of training ought to happen for footballers in November, after the season is over, and for the other teams in January or February. Indeed, the idea for a second round of training was originally raised by the coaches of the men’s basketball and football teams. The purpose would be to build on the pre-term training.

Currently, club athletes and coaches do not receive Waves of Change training as teams or in a way that is specific to sports. In our consultations, we were repeatedly reminded that our focus should not be limited to varsity athletics, and that club sports also have a significant prominence and importance at StFX. Based on what the IRP heard, we agree that StFX should ensure that all athletes are trained, and that club athletes and coaches also be required to receive annual Waves of Change training.

The IRP also heard that for men’s and women’s teams that train together under one coach (such as track and field), some athletes think that younger athletes would benefit from the Waves of Change Training being delivered separately to male- and female-identified athletes.

We heard that certain other programs to address harmful masculinity, such as a program called “Man\Made,” would also be beneficial, both within and outside of athletics. Those involved in education around sexual violence expressed disappointment that there was no uptake of the program within the athletics administration in recent years, particularly given the emphasis on the “Leadership Academy” and leadership excellence. It is noted, however, the program is eight hours long, delivered over four weeks. The IRP has been advised that StFX is looking to deliver an abbreviated version of the training. In response to the suggestion that Athletics was not interested in prioritizing this training, as noted above, the





athletics department disagreed with this characterization as unfair, and emphasized the multiple trainings they have attended in the 2023-2024 academic year (the IRP was not provided with the specifics of what these trainings entailed). The IRP was also provided evidence that the leadership in Athletics attempted to attend “Men as Allies” training in 2021, but the spots were limited, and at the point they indicated their interest, there was no longer room available in the training. The IRP’s focus is forward-looking. Regardless of the accuracy of the competing perspectives from within and outside of athletics, the IRP’s view is that additional training and the better integration of SVpra, EDI and other staff into the efforts at culture change within athletics, are recommended and essential.

### **Recommendations Relating to Athletics**

The IRP makes the following recommendations to address issues related to sexual violence specific to athletics:

**Recommendation 1:** The Athletics Equity and Safe Sport Committee be chaired or directed by an external person, on a one-year timeline, to review relevant documents and create a plan of action. The resulting report, like Watershed’s, should be transparent, public and delivered to the President.

**Recommendation 2:** A structure be implemented to ensure an annual rotation of men’s and women’s games as the headliner at the StFX Homecoming.

**Recommendation 3:** An equity initiative be immediately implemented in which the university imposes a requirement that a percentage of donations to men’s “top three” teams must be used to promote equity initiatives in athletics.

**Recommendation 4:** The Athletics Equity and Safe Sport Committee (or initiative) consider:

- a. The implementation of a concrete strategy to ensure the hiring of one or more women head coaches at StFX in the next three years, as well as a concrete strategy to ensure the success of that coach in the critical first few weeks of her arrival, as well as thereafter;



- b. Develop a proposal to present to the AUS leadership to revise AUS schedules/timetables to divide 'prime time' game times evenly between men's and women's sports in the AUS;
- c. Undertake a detailed analysis of scholarships, including AAC and AFAs at StFX, to provide a rigorous review of the comparative funding of men's and women's teams.

**Recommendation 5:** Waves of Change Training be mandatory annually for both varsity and club coaches, trainers and assistant trainers for the next five years, to be completed in the fall term. The training may be modified or updated for staff who have taken training multiple times.

**Recommendation 6:** Waves of Change Training be mandatory for club athletes once per academic year, and for varsity athletes twice per academic year; once in August/September and a second time in the Winter term.

**Recommendation 7:** For the next three years, the University administration require that the Director of Athletics and head coaches meet with the SVpra, Human Rights and Equity Advisor, Black Student Advisor, Indigenous Student Advisor, and Gender and Sexual Diversity Advisor, and their relevant Directors, three times per year (summer, fall, and winter) to integrate these other University experts and services into the leadership training and development of student athletes, and to identify issues and their solutions. The meetings should be minuted with action items and follow-up.

**Recommendation 8:** The SVpra, Human Rights and Equity Advisor, Black Student Advisor, Indigenous Student Advisor, and Gender and Sexual Diversity Advisor be integrated into the delivery of leadership training in the "Leadership Academy" for athletes.

**Recommendation 9:** For the next four years (one generation), the football team be required to participate in the Waves of Change training in their residences, in order to redress the actual or perceived entitlement of these students within the residence community.

**Recommendation 10:** The Athletics webpages and resource documents should clarify that the primary contact for all confidential disclosures of sexual violence is the SVpra.



## E. RESIDENCE

### **Continue Progress in Disrupting Harmful Traditions**

Many, if not most, universities across Canada have had experiences with students engaging in harmful initiation traditions (or “hazing”), often associated with certain clubs, athletics, residences, or faculties. In this sense, the focus at StFX on disrupting harmful traditions is not unique. The efforts led by StFX leadership to abandon or stop some harmful traditions, evolve others, and create new positive ones, is best practice and is consistent with StFX’s stated commitment to create an inclusive and respectful community, free from sexual violence and other forms of discrimination. The IRP supports the efforts by StFX to date to effect culture change in residence.

In the introduction to this report, we discussed the unique ways in which certain “house” or residence traditions specific to StFX have inculcated and transmitted a culture which perpetuates sexual violence, among other harms. We also discussed the significant progress that StFX has been making in shifting or disrupting these traditions, for which the leadership of StFX should be strongly commended.

In this section, we will discuss a few examples of what we heard in terms of harmful traditions and behaviour since 2019, that seem to be associated with residence life, or specific residences, which StFX should focus on addressing in the short term. We note that we didn’t always ask, specifically, if a practice or incident had occurred in the last one, two or three years. We also didn’t track whether students providing us information were in their first, second, third or fourth year of study. This is important, since we were told by StFX leadership that many changes to supervision, policy and standards within residence came into effect in 2022, after StFX commissioned external experts and received a *Residence Renewal Report* in January 2022. As a result, certain concerning practices which may have been occurring as recently as two or three years ago have been, or may have been, addressed (and, hopefully, permanently stopped) in the past year. Since the IRP’s review covered a four-year period, we will report on what we heard, but acknowledge that some issues may relate to behaviour that may have further improved.

One custom that caused the IRP concern, and which we understood to be continuing presently, is a tradition at one or more residences where upper-years organize parties (‘house crawls’) at their off-campus residences, involving significant drinking, attended by



the first-year students. The custom is hierarchical, with the first-years from the residence in question being subordinate to the upper-years from that same residence. We heard about upper-years getting the first-years very drunk. Most important to the custom, in addition to the drinking, is that the next day the first-years of the residence have the job of cleaning up the mess at the homes of the upper-years from that residence. The combination of drinking, transmission of hierarchies, and the very real social pressure on first-years to ‘buy-in’ or face social exclusion, is deeply problematic. The tradition came to the IRP’s attention because of students expressing their discomfort with it. We understood that this tradition is associated with MacKinnon Hall and possibly other residences.

We also heard that certain misogynist traditions have continued until recently, such as competitions to “get with” a girl from every house, or to sleep with as many girls as possible within a certain period of time (a “kill count”). These traditions or competitions seem to exist within residences, and we heard from a few people that they may be related to a culture or members of certain sports teams, specifically football. We acknowledge, however, that the administration confirmed they were aware of this issue and, in the past few years, had taken direct steps to raise it, including with the relevant coach(es), and that the StFX leadership would be very concerned to hear if the information provided to the IRP related to the 2023-2024 academic year.

More generally, and particularly at certain residences, we heard that misogynist and homophobic comments directed to CAs and other students were so endemic that it was impossible for staff to identify individual perpetrators or take corrective action, since the context in which the comments were made was often late at night when alcohol had been consumed and the staff were focused on dispersing groups, removing visitors from the residence, and otherwise engaged in crowd control or the de-escalation of disruptive behaviour. In this respect, StFX residences are no different than numerous university residences across the country.

The focus of the IRP’s discussions in which the above information was elicited, was not on the response by StFX to these incidents, but on identifying the culture and how to prevent it in the first place.

Another tradition that caused the IRP concern is a naming tradition at one or more residences involving both men- and women-identified students. The IRP cannot confirm whether the ritual described below occurred in 2023-2024 in addition to previous years. We were told by administration that the University has taken specific steps to ensure better



‘onboarding’ to address this and other traditions, and that this tradition is discouraged. The tradition is facilitated by upper-years from the residences in previous years, occurs early in the year, and involves a measure of secrecy. First-year students are brought into the basement of a residence or upper-year house with candles lit and red lights overhead, and with their phones taken away from them, perhaps to prevent detection. There is significant pressure to drink alcohol, although the upper-years apparently repeat that ‘you don’t have to drink if you don’t want to.’ The first-years sit in a circle and are provided “names” by the upper-year students. We were told that in the more distant past, the names were sometimes sexualized, inappropriate, or even discriminatory, but that that is no longer the case. More recently, the names or the stories that go along with them may be intended to be harmless or playful, but students described to us their names as sticking with them for the remainder of their time at StFX. Upper-year students also described the incredible pressure to participate when they were first-years, and the implicit and unavoidable consequences of not participating. The sense reported to the IRP is that if you don’t participate, you will be an outsider within the residence community.

The IRP was asked to consult with the StFX community on the broader campus culture relative to sexualized violence including, but not limited to, power dynamics, attitudes towards consent, and the impact of social norms on reporting, particularly within the context of residences.

Traditions in residences that are exclusionary, perpetuate social hierarchies, and which involve alcohol and/or which discourage or make it difficult for individual students to exercise their own judgment are traditions which contribute to a culture relevant to both power dynamics and to social norms that pose barriers to reporting. Sexual violence cannot be properly understood without attention to other social hierarchies that intersect with sexual violence, and which foster the social norms that perpetuate sexual harm as well as pose barriers to reporting.

While not specific to residence life, we also heard the barriers faced by racialized students to being included. For example, as discussed earlier, racialized athletes told us that were it not for their status as an athlete, they wouldn’t be invited to parties. Other racialized students similarly told us about isolation and social exclusion. Racism is everywhere in Canada, of course. At StFX, the experience of racialized students is no doubt influenced not only by the small size of the student population, but also by the rural, small, and predominantly white surrounding community. We were also told that isolation or exclusion may have been particularly acute, or at least worse, during the COVID-19 years, when StFX students were on



campus in-person, but group gatherings were limited, which likely had a disproportionate impact on racialized (and other equity-deserving) students.

In terms of the transmission of traditions within the residences, the IRP heard that the culture is transmitted by upper-year students, often before the first-years even arrive on campus, with upper-years reaching out to the first-years on social media. Accordingly, the disruption of some of these traditions will need to occur through efforts focused on the upper-years. We heard that many upper-years are very invested in the traditions and their transmission. A number of participants in the consultations suggested that prohibiting upper-years from entering the residences, at least in the first two months of school, might assist a culture shift. It was also suggested to us that there might be some benefit in preventing upper-years from living in the first-year residences. We can imagine that this suggestion might be problematic, since CAs should ideally be upper-years, themselves. As well, residences that have a mix of upper-years and first-years could be beneficial if the upper-years are mature and haven't chosen to remain in residence for the purpose of problematic partying. One student explained to us the challenges faced by CAs, in terms of the CAs needing to do their job, but also needing to walk the line of being 'cool' because their friend-group and community is also within the residence community.

Sororities and fraternities are not permitted at StFX, but the residences/houses are, in many ways, a substitute. As one student told the IRP, "people love to belong and the StFX experience is like a club." The problem, of course, is that aspects of belonging can be rooted in harmful views and norms. StFX needs to continue the work, to which it has already committed and made progress, of supporting the positive aspects of the small-community culture fostered at StFX while rooting out those aspects that involve or contribute to harmful behavior.

The pressure to belong at StFX, and particularly in residence, also poses an enormous barrier to reporting. We heard many times in our consultations that "if anything happened to me in residence I'd never report" because of the consequences of reporting another residence member.

Finally, we also heard reports from woman-identified and/or queer-identified students, about being barked at (to be clear, literally, "woof woof") by groups of male students on campus, with reports including locations outdoors and in residences. The students who described this behaviour experienced it as dehumanizing, demeaning and, for some, threatening. When we asked administrators on campus about the conduct, it came as a



surprise, which might suggest that this is new, rather than longstanding, behaviour. Anecdotally, we heard that this conduct may be associated with a certain residence or residences. We were told that to the administration's knowledge, no students had reported this conduct or made a complaint under the Policy. Based on what we have learned and heard through this consultation, we have no reason to doubt that if such a report were made, StFX would have responded strongly, quickly, and appropriately.

**Recommendation 11:** StFX should continue to disrupt traditions and behaviours that contribute to exclusion and incidents of harm, including revolving around conquests of women, naming traditions, and grooming first-years in upper-year partying.

**Recommendation 12:** In implementing Recommendation 11, StFX should invest in staffing and programming, including programming targeted at creating new forms of community-building between upper-years at StFX and the first-years in residence.

### **Increase Professional Staff in Residence and Support for Community Advisors**

As discussed above, the CAs in the residences have enormous responsibility and, we heard, often feel ill-equipped to receive disclosures and respond. We understand that StFX is aware of this problem but faces challenges in terms of recruitment of upper-years and of professional staff, as well as challenges with staff turnover and funding constraints. Ideally, StFX is building towards a larger complement of professional live-in staff of RLCs, which will help in terms of supporting CAs and having a preventative impact when harmful behaviour begins to escalate.

**Recommendation 13:** StFX should continue to increase its staff complement of professional staff in residences, particularly RLCs.

**Recommendation 14:** Further to Recommendations 16 and 18 below, an expanded SVPRA office should assist with residence by engaging in targeted follow-up, prevention and education at residences where harmful traditions persist and in better training and supporting CAs.

### **Consolidate Hazing Policies**

StFX has two separate sets of policies that prohibit hazing. There is a Senate Policy on Hazing and, in addition, Athletics has its own Hazing Policy.



The Senate Policy on Hazing provides four definitions or explanations of hazing, and summarizes that hazing: “involves a repetition of tradition; is a process; maintains a hierarchy within a group; intends to create closeness in a group; involves psychological and physical stress.”

The Athletics Hazing Policy defines hazing as “any action that recklessly or intentionally endangers the physical and mental health or safety of students. No one, including current, former, or alumni members of any teams, shall harass, intimidate, mock, or ridicule anyone else or commit any other similar act as a requisite for membership or participation on any such team.”

The Athletics Hazing Policy states that a failure to comply with the policy may result in suspension or expulsion from the team or the university, but does not direct students on where to go or who to approach should they experience hazing, other than to the Director of Athletics: “if you have any questions as to whether an activity is appropriate please consult the Director of Athletics.”

The Senate Policy on Hazing also does not make clear where students should turn if they believe they have been impacted, or if they want to report or disclose hazing behaviour.

The Senate Policy arguably adopts a broader definition, or approach, as to what constitutes hazing than the Athletics policy. The Senate Policy appropriately explains and emphasizes the purposes of hazing, which includes the perpetuation and maintenance of hierarchies within a group and between groups, and to create ‘closeness.’

In the IRP’s consultations, we heard that community members don’t always understand whether behaviour constitutes hazing unless it is at the more extreme end of problematic behaviour. In other circumstances, students or former students might see an activity as “just in fun.”

The education work of the SVPRA, which we recommend below should be an expanded office, should include increased education on preventing and recognizing hazing, and providing information on where to disclose and report experiences that might constitute hazing.





Further, StFX should have one consolidated policy prohibiting hazing which makes clear where students who experience hazing should disclose, and which Policy applies. Students who experience concerns about hazing within athletics should report that conduct within Student Services under the Community Code of Conduct, or under the Sexual Violence Policy where the conduct includes behaviour which that policy is designed to capture. Athletics may be involved in the solution or response, but particularly given the concerns about the siloing of athletics expressed to the IRP, hazing issues should not be solely within the jurisdiction of athletics.

**Recommendation 15:** StFX should have one consolidated policy prohibiting hazing, rather than separate Senate and Athletics policies. The Hazing Policy should expressly incorporate other relevant StFX policies. Hazing that would be captured by the Sexual Violence Policy should be disclosed to the SVPRA and processed under that Policy; other hazing should be disclosed to a representative in Student Services identified by StFX and addressed under the Community Code of Conduct (in consultation with Athletics where a student athlete is involved).

#### **F. StFX SEXUAL VIOLENCE POLICY & PRACTICES UNDER THE POLICY**

##### **Expand the Sexual Violence Prevention and Response Advocate's Office**

StFX engaged Watershed to return to StFX in 2024, in part to determine whether the new Policy, including the role of the SVPRA, was working, and if there were gaps to identify them.

One message that we heard consistently, in fact unanimously, was that the role of the SVPRA on campus is an important and effective role, but that it requires more resourcing, and that the SVPRA's office should be expanded.

As noted in the "Positive Change" section of this report, the role of the SVPRA is new and was established under the 2019 Policy. The role is occupied by one SVPRA staff member and supported by administrators and staff within Student Services (including the Office of the VP Students, the Director of Student Life and other staff), particularly in terms of the development and implementation of the on-line and in-person training of first-year students,



as well as other related efforts by the Student Services team to address alcohol and substance use in residence and on campus.<sup>23</sup>

The one full-time person who fulfills the role of SVpra, however, is the only person designated under the Policy to receive disclosures, including referrals from other StFX faculty and staff to whom students and others may initially disclose. We heard consistently from across the University that the job is too big for one person, especially when the role is intended to provide support and advocacy for survivors, and to engage in education and prevention. If the SVpra is overstretched, students may find her inaccessible or difficult to reach, or follow-up times too slow. Such a perception can negatively impact the integrity and reputation of the office and the University. In addition, with only one person in the role, direct service to survivors will, by necessity, be prioritized, with fewer resources devoted to prevention, education and training.

The IRP heard a lot about the importance of training. Many consultation participants requested that we recommend more training be conducted, including more training on the Policy, a second round of Waves of Change training in the second term (starting with targeted student populations), additional training related to oppression, equity diversity and inclusion, and masculinity, as well as specific training for faculty and athletics department staff, some of which we have discussed above. We heard that more visibility and communications about the SVpra office, the Policy and sexual violence education and prevention on social media (as permitted under the University's policies) would be effective. An additional staff person to support such communication and training is essential.

We also heard a number of concerns about the Policy which, in our view, could be addressed through education or supplementary plain-language infographics or explanatory documents, rather than Policy change. For example, we heard that there is confusion or a lack of understanding by students and staff/faculty that sexual harassment is included in the sexual violence policy. Rather than, for example, change the name of the Policy to include the term "sexual harassment" in the title, it would be better to teach members of the StFX community that sexual harassment is a form of sexual violence.

Another issue raised with the IRP that we saw as being related more to education than policy gaps or change, was that the list of accommodations for students and employees in s.3 of the

---

<sup>23</sup> The support provided by administrators and staff within Student Services is not always visible to the student body.



policy, the list of immediate measures (s.5) and the disciplinary/remedial measures (s.10) may be over-inclusive or underinclusive, depending on the fact scenario, or may create unrealistic expectations.<sup>24</sup> The Policy is a form of legal document. It needs to convey the scope of measures that might be implemented and provide authority to the decision-maker to order them. To the extent that the Policy's list of measures at the severe end raise expectations, these need to be addressed through education.<sup>25</sup>

One way that StFX has managed prevention and education to date, including the large undertaking of training 800, or more, incoming first-year students in orientation, is to rely on students. We have been told that students are paid an hourly rate over the summer to develop and oversee the first-year orientation training "blitz." In our view, that position could be more structured, and made into a summer position of no less than 20 hours per week, to support the development, education and prevention strategies, materials and initiatives over the summer months.

***Recommendation 16:*** A second full-time SVpra staff person should be hired, whose focus in the first few years should be prevention and education, including education with respect to the Policy. The SVpra position should, like the first position, require expertise in sexual violence and trauma-informed practice, as well as skills or experience in education, communications, and training.

***Recommendation 17:*** For the next two years, StFX should establish a summer student position of no fewer than 20 hours per week to support the work of the SVpra, including to develop and deliver the Waves of Change training commencing in August and September of the following term.

### **Proactive Measures, De-escalation and Support in Residence**

The Policy requires all employees who receive a disclosure relating to sexual violence to refer that student or staff member to the SVpra.

If the person who has experienced sexual violence is a student, it is likely that the initial disclosure will be made to peers. For students living in residences, the next disclosure,

---

<sup>24</sup> e.g. By listing suspension and expulsion as a possibility when that outcome may not be ordered.

<sup>25</sup> One comment, however, was made to us that the language for discipline of employees at s.10.53 of the Policy is inconsistent with all relevant collective agreements. If this is the case, the Policy should be adjusted to address this issue.



particularly if the incident occurred at night and some form of immediate support is required or encouraged by a peer, will likely be made to a Community Advisor or other Residence Life staff. In the case of all disclosures, regardless of whether a report is ever initiated, the Policy anticipates and expects that the survivor will meet with the SVPRA, although it is acknowledged that some students, for any number of different reasons, may not choose to access the services of the SVPRA.

Accordingly, the StFX staff who most have the finger on the pulse of disclosed incidents of sexual violence at StFX will be Residence Life staff and the SVPRA.

In the past, if a student in residence disclosed an incident of sexual violence to a CA, that CA would not share the information with the SVPRA without the student's express consent. The IRP was advised that, more recently, the protocol has changed. In every case, the CA will create some limited documentation of the disclosure and will ensure that the SVPRA is made aware, so that the SVPRA, who is trained in sexual trauma, can follow up with the student and offer confidential support, with the student being free to accept or refuse it. In the IRP's view, this is a good approach which fulfils the dual goals of ensuring that the SVPRA is aware of incidents of sexual violence on campus and reducing the risk that critical emotional follow-up with the disclosing student is not inadvertently missed.

In the residences, there are approximately 80 Community Advisors/Senior Community Advisors, most of whom are upper-year students, but some may be first-year students, with little experience. In terms of reporting structure, the Residence Life Coordinators (RLC) supervise the CA staff, and the RLCs report to the Residence Life Manager who, in turn, reports to the Director of Student Life.

Within the residences, a CA who receives a disclosure is required to complete an incident report form. This form is uploaded to the internal Student Life "ERES" electronic documentation system and provided to the SVPRA. Incident report forms for conduct or issues unrelated to sexual violence may be referred to Student Conduct or may generate an educational/preventative/remedial response determined by Residence Life under the Residence Code of Conduct. Generally, the approach at universities across Canada in relation to disclosures is that information may be shared "Up" but not "Out." The Director of Student Life, who communicates and works closely with the SVPRA, will be made aware, in general terms (or more specific terms, depending on the level of risk), of the disclosure. The RLCs and Residence Life Manager, however, are often not provided information, and the CA is under a



duty to keep the disclosure confidential unless the student in question has given express consent to the CA or the SVPRA to share the information with others.

In terms of discontent around the sharing/lack of sharing of information at the residence level, we heard concerns about two issues from the perspective of those who are responsible, in one way or another, for supporting students and student staff in implementing the Policy in residences. First, we heard that when disclosures are made, there is sometimes a rumour mill, sometimes even resulting in student vigilantism toward the alleged perpetrator. The Residence Life staff (including CAs) expressed frustration at the level of secrecy around the disclosure and any steps that were taken by the University to deal with it. The confidentiality surrounding these steps, in their view and many students' views, contributed to a culture on campus that perceives the University as 'doing nothing' in response to sexual violence. A second, related, concern expressed to us is a lack, or perceived lack, of follow-up within residence to support both the survivor as well as the person who received the disclosure: often a CA or young staff member. One RLC commented that when disclosures are made to their CA, even the RLC, as manager of that CA, isn't entitled to know about it, including the fact that a disclosure was made, thus hampering the RLC's ability to support their own staff, in terms of vicarious trauma and de-escalation.

The IRP heard and accepted that CAs need more training and support in a variety of areas, including emotional and other support, in dealing with receipt of disclosures and the stresses of confidentiality around that disclosure. Accordingly, the IRP considered *who* should be providing support to them. In the IRP's view, the confidentiality provisions that, in most cases, would prevent sharing information with RLCs without express consent make sense in terms of respecting survivors' agency and health, but also because the RLCs already have a job with significant responsibility, and aren't necessarily trained or expert in sexual trauma. We asked the SVPRA about support provided to CAs through the SVPRA office and were told that support is offered. CAs can and do access the resources of the SVPRA or counselling services (both of which are available to them). There has not, however, been a systematic or structured uptake of the SVPRA's offers to attend regularly scheduled residence team meetings.

With an expanded SVPRA office, it is recommended that the new SVPRA position have conflict resolution and de-escalation skills, or be trained to develop these skills, to work with the community (such as a residence community) when an incident of sexual violence has occurred or is rumoured to have occurred and an intervention, either among the CAs or a residence group or floor, is indicated. The SVPRA staff who assumes this role should not be



the same person as the SVpra staff receiving the disclosure and supporting the survivor. Student Life could also impose a requirement that SVpra staff be invited to residence staff meetings in order to educate, debrief and provide support.

In terms of the reality that first-year (or otherwise very young) students are receiving disclosures in their capacity as CAs, it is recommended that, at appropriate intervals,<sup>26</sup> a member of the counselling staff trained in trauma-informed practice should meet with the CAs from each residence as a group to express and process their experiences, including any vicarious trauma. A scheduled intervention with a counsellor can assist in addressing the concerns we heard from student CAs, as well as their supervisors, that CAs feel undertrained, overwhelmed and ill-equipped to receive disclosures, but also in managing their emotional regulation following such a disclosure.

**Recommendation 18:** Assign the new SVpra the role of working with communities, such as CAs in a residence, a residence community, or the athletics community, to de-escalate, and educate in response to, or in the context of, incidents of sexual violence.

**Recommendation 19:** Require RLCs to include the SVpra in residence staff meetings, at least once per semester to educate, debrief and provide support.

**Recommendation 20:** Assign one or more members of the counselling team to meet at regular intervals with student residence staff of each residence as a group to debrief and provide support.

The above recommendations will not solve the problem of perceptions that the University “did nothing” after a disclosure of sexual assault. The University’s legal obligations to respect the confidentiality of survivors and respondents will always present a barrier to the University providing information demanded by the community. It is important to remember, however, that even if the University did provide information, such as “the survivor didn’t want us to act and we moved the respondent to a new dorm,” this would be unlikely to assist in quelling community criticism.

These recommendations are intended to suggest some practical and targeted areas where intervention by trained staff might assist in stemming discontent and offer limited education to reassure and support specific communities.

---

<sup>26</sup> e.g. This may be once per month, every six weeks, or twice per term.



## **Formalize Sexual Violence Internal Review Meetings**

A difficult area for all PSIs is when to take action and initiate a sexual violence investigation when a complainant has not chosen to proceed with a formal report. PSIs are put in what is sometimes a contradictory position, of simultaneously being expected by the community to respect survivor agency and to act on disclosures. During the consultations, the IRP had many discussions with staff involved in implementing the Policy about the difficult questions related to when the University should initiate its own process, and on the basis of what information, even if the Complainant has not given the institution the express permission to do so. These decisions are complex and case-specific. As discussed below, StFX should focus on these issues internally and create a structure to ensure timely and productive communications and de-briefing on past-cases or issues among the staff responsible.

The IRP recommends that regular meetings with the Residence Life Manager, the Director of Student Life, the SVPR, the Director of Health, Counselling and Accessible Learning and the VP Students (the “Sexual Violence Internal Review Team”) focus on reviewing existing guidelines or procedures, or developing new guidelines or procedures, related to when the University will initiate its own investigation or process involving student respondents (the focus is student respondents, since we did not hear the same level of difficulty where the respondents were faculty or staff).

The IRP recommends that for a one-year period, commencing September, 2024, a Sexual Violence Internal Review Team meet twice in each of the fall and winter semesters to discuss cases, in general and non-identifying terms: what issues/incidents have arisen or been disclosed, the nature of the incidents,<sup>27</sup> the presence of any existing or emerging risk factors or trends,<sup>28</sup> and, whether procedural or communications issues need to be considered or addressed.

***Recommendation 21:*** Establish a Sexual Violence Internal Review Team to meet at regular intervals to share anonymized information and to discuss, with a focus on procedure and practice, what issues/incidents have arisen or been disclosed, the nature of the incidents, the presence of any existing or emerging risk factors or trends

---

<sup>27</sup> e.g. Digital harassment, misogynist comments in residence, or sexual assault in residence.

<sup>28</sup> e.g. Involvement of alcohol, location (on- or off- campus), social location of the complainant or respondent in general terms.



on campus, and whether communications or procedures need to be refined, considered or addressed.

### **Prioritize and Promote Aggregate Reporting of Sexual Violence Statistics and Trends**

Section 16 of the Policy relates to aggregate data collection. The SVpra must “maintain” and publish” aggregate data annually on:

- the number of disclosures received, the general nature of the disclosures;<sup>29</sup> and
- observable trends.

For various reasons, the aggregate data has never been made public since the Policy was approved in 2020.

The data has, however, been collected for all four years. To the extent that a barrier to reporting on the data was the risk of identification of individuals, that risk is now significantly minimized since the data can be aggregated and banded across this time frame.

An example of public reporting of sexualized violence data can be found in the annual reports published by Dalhousie University. See, for example, the 2020/2021 report: [Sexualized Violence Policy Report – Public Release, 2020-2021 \(dal.ca\)](#)

Reporting on sexual violence data and trends can be used to some extent as an opportunity for the University to demonstrate what it is doing.

The IRP understands that the data has been presented to the StFX Sexual Violence Prevention and Response Review Committee, which is a President’s Committee (the “SVPRC” or “SVPR Committee”). Meetings of the Committee are attended by persons with expertise in the area such as the SVpra, the Director of Health, Counselling and Accessible Learning, and the Director of Student Life, as well as senior administration including the VP Students who is the executive sponsor of the Policy. The SVPRC’s meetings, however, have not been attended by the President.

---

<sup>29</sup> e.g. Whether they involve sexual harassment, sexual assault, digital harassment, occurred on-campus or off-campus, and whether the identity of the respondent was disclosed.





A good practice, as well as another way to build trust and reflect a commitment to responding effectively to campus based sexualized violence, would be for the President to attend the SVPR Committee meeting at least once per year, perhaps in the period of April 30 – June 30, in order to receive the annual analysis of disclosures/reports and education and prevention initiatives, to identify ongoing or emerging issues, and to prioritize programs and actions to progressively address the problem(s) in the next academic year.

**Recommendation 22:** StFX prioritize publishing annual data on sexual violence disclosures and reports, detailed to the extent possible while complying with privacy legislation.

**Recommendation 23:** The President attend the President’s SVPR Committee meeting at least once per year, to receive and discuss the SVPR’s annual report and prioritize resources and initiatives, including being advised on the implementation of the IRP’s recommendations in this report.

The IRP understands that the SVPR Committee was very active in 2018-2020, on issues related to the writing and implementation of the new Policy. The IRP heard various questions raised by Committee members as to the ongoing structure and responsibilities of the Committee. The IRP believes these questions are best answered internally at StFX, but recommends that a focus of the Committee going forward, at least in the short term, should include the tracking of, and community feedback on, the implementation of the recommendations in this report, as well as ongoing priority initiatives and commitments which arise from the SVPR’s report.

### **Amend and Clarify Provisions on Prohibiting Sexual Activity Between University Employees and Students**

The Policy recognizes the inherent power imbalance and harm, or risk of harm, when faculty initiate or participate in sexual relationships with students over whom they are in a position of influence or authority. Accordingly, the Policy prohibits such relationships, as well as prohibiting sexual relationships in similar contexts of inherent power imbalance, for example by prohibiting any sexual relationship between a member of the coaching staff and a varsity student athlete.

In the limited other contexts where a faculty member may not be, or technically not be, in a position of influence or power over a student or the student’s future, sexual relationships are



discouraged. If they do occur, s.14.12 of the Policy requires that a disclosure be made to senior management within 48-hours of any sexual activity.

The intent of the Policy under s.14.12 was that a breach of the requirement to disclose would not be treated as a minor technical policy breach for failing to make a report to management, but rather be treated as sexual misconduct by the faculty member, given the power imbalance, and the failure to protect the student and mitigating that imbalance by disclosing the relationship. The point of the mandatory disclosure requirement was to ensure that disclosures are made immediately to protect the student in question, with the knowledge that if no disclosure is made the consequences will be extremely serious for the faculty member in question. The IRP has learned that this intention of the Policy was not clear. The IRP accordingly recommends that the Policy language be amended so that there will be no future confusion on this point.

**Recommendation 24:** The IRP recommends that s.14.12 of the Policy be amended as follows:

14.12 A failure to disclose Sexual Activity with a student in accordance with s.14.6 and 14.7 of the Policy, constitutes sexual misconduct by the Teaching Staff. The failure to disclose will also be relevant to whether the student consented to any of the Sexual Activity.

The above approach is consistent with that taken by other universities. For example, Queen's University's Policy (s.14) creates a prohibition against sexual relationships between employees and undergraduate students:

<https://www.queensu.ca/secretariat/policies/board-policies/policy-sexual-misconduct-and-sexual-violence-involving-students>.

Another issue brought to the IRP's attention is a theoretical concern, as we are not aware of this being a problem that has yet arisen. Section 14 of the Policy prohibits the existing spouse or partner of someone in senior administration at StFX from becoming a student in any form.<sup>30</sup> The Policy was not intended to have this effect, although if the spouse of a VP, Director, or faculty wishes to become a student, structures would need to be put in place to address the conflict of interest.

---

<sup>30</sup> e.g. Where the existing spouse of a Director of Finance takes or audits courses in education.



### **Amend the Policy Language Regarding Intoxication and Incapacity**

The definition of “Incapacitated” for the purposes of who can provide consent to sexual contact under the Policy, currently reads as follows:

“Incapacitated: means a person who **does not have the capacity to give consent** because they are, for example, unconscious or asleep or their **judgment is impaired (such as by alcohol and/or drugs)**, and as such cannot appreciate the risks or consequences of the sexual act. It is the responsibility of the person initiating or continuing sexual contact with a person who is intoxicated or impaired to **establish affirmative consent** at all times.” (emphasis added)

The language above could be clearer, and the IRP recommends it be amended as follows:

**Recommendation 25:** The definition of incapacitated under the Policy should be amended as follows:

Incapacitated: Includes a person who does not have the capacity to give consent because they are, for example, unconscious or asleep or their judgment is impaired, such as by alcohol and/or drugs, to the extent that they cannot appreciate the risks or consequences of the sexual act. In addition to obtaining affirmative consent, it is the responsibility of the person initiating or continuing sexual contact with a person who has consumed alcohol/drugs or who may be intoxicated or impaired to ascertain and confirm that the latter individual is capable of: voluntarily agreeing to the act, understanding its sexual nature and with whom they are engaging in it, understanding that they can withdraw consent at any time, and appreciating the risks and consequences of the sexual act.

### **Improve Training of Faculty**

Sections 4.2 and 4.3 of the Policy provide as follows:

4.2 All StFX employees who receive confidential Disclosures must provide information to the Survivor about the availability of the Sexual Violence Prevention and Response Advocate as the person to receive confidential support and



information about options. It is the choice of the Survivor whether to access this service.

4.3 StFX will offer annual training on this Policy, the Sexual Violence Prevention and Response Advocate, and best practices for Members of the StFX Community in responding to Disclosures of sexual violence. Such training shall be mandatory orientation training for all new staff and faculty.

Although training on the Policy has been offered at various points by StFX to faculty, the IRP heard that many faculty had not received training, either recently or at all, including new hires for whom the training was supposed to be mandatory.

Two areas of training for faculty are particularly significant: (1) the prohibition on sexual relations with students and the consequences for breach; and (2) disclosure training, in terms of how to receive a disclosure and properly respond.

Voluntary training often only reaches those who need it the least. Mandatory training is often not welcomed by faculty and, in any event, is difficult to enforce.

It is recommended that key aspects of the training on the Policy be ‘mainstreamed.’ The senior administration, including the VP Academic, VP Finance and VP Students, should work with the SVPRA to allocate brief timeslots (e.g. 15 minutes) at otherwise scheduled and well-attended meetings, or meetings with “important” agendas, to address key issues to a wider audience.

***Recommendation 26:*** In order to reach and train faculty on key aspects of the Policy, the IRP recommends that agenda time be devoted at other scheduled faculty or University meetings for the SVPRA to deliver targeted training.

### **Expand Counselling Services**

The IRP appreciates that university counselling services face very significant challenges in meeting the needs of students not just at StFX, but at universities across the country. Similarly, a challenge within many health and wellness departments at universities, including StFX, is meeting the needs of diverse students, including by offering services provided by persons who identify as queer, Indigenous or racialized, or who are otherwise specialized in serving these populations.



The IRP heard that, like at other universities, students feel that they have insufficient access to counselling services and/or that the counselling services staff are not sufficiently representative and diverse, or experienced in sexual trauma.<sup>31</sup>

We also heard, both from the Antigonish Women's Resource Centre (AWRC) as well as from students and staff, that the AWRC provides significant support to StFX students, particularly those who are in crisis and have recently experienced a sexual assault.

In fact, although the AWRC serves a catchment area of approximately 25,000 people, many of whom are rural, isolated and economically constrained women, and in high need of the AWRC's services, approximately 1/3 or more of the caseload of the only sexual trauma therapist at AWRC comprises StFX students. Moreover, some of these students are out-of-province. The role played by AWRC in supporting StFX students is concerning, given the needs of the larger community for their services.

**Recommendation 27:** An additional counsellor be hired at StFX who specializes in sexual trauma, with priority to be given to someone who identifies as racialized or Indigenous. The counsellor should be a full-time position, and available to students and staff in the summer months, in addition to the academic year.

### **Develop and Better Incorporate Diverse Experiences in the Waves of Change Training**

Although the IRP heard positive feedback about the Waves of Change and other sexual-violence related training at StFX, we also heard that an area for improvement would be to better capture and address the specific perspectives and experiences of queer-identified, racialized and Indigenous students. If, as recommended below, StFX starts building on existing training to offer it twice per year to targeted groups of students, this would be a good opportunity to workshop best approaches and materials to incorporate and address diverse experiences and perspectives.

**Recommendation 28:** Build on and develop Waves of Change training, as delivered at StFX, to better incorporate diverse experiences, in particular, those of 2SLGBTQIA+, racialized and Indigenous students.

---

<sup>31</sup> The IRP was advised that in early 2024, StFX had hired two therapists, one of whom is racialized and who will also be available to students in the summer months. Since this change was so recent, any impacts are not reflected in this report.



## **Remove the “Zero Tolerance” Statement from the Policy**

We heard from many people across the University that the “zero tolerance” policy statement at paragraphs 1.1 and 10.55 of the Policy is misleading, inaccurate and does more harm than good. The “zero tolerance” policy statement, or sentiment, also appears in public communications and statements issued by StFX to the community, including by email. These communications will be discussed separately below. The criticisms of these sweeping ‘zero tolerance’ statements were that StFX does not truly have a “zero tolerance” policy, because absent serial perpetration, the University ‘tolerates’ sexual violence if a survivor discloses but does not report it; and that StFX does not expel or terminate all those found to have violated the sexual violence policy.

The purpose of a “zero tolerance” statement is for the University to signal its strong commitment to reducing sexual violence on campus and to taking disclosures and reports seriously. The problem with expressing this valid commitment through a “zero tolerance” statement, however, is that the aspirational statement is impossible for the University to fulfill. The University may very well be aware of incidents (or alleged incidents) of sexual violence, but its hands are tied because the survivor does not want to report and/or does not want the University to take any steps.<sup>32</sup> Where the respondent is a student, it will generally be the exceptional case where the University will investigate over the objections of the survivor.<sup>33</sup> From the perspective of a “zero tolerance policy,” however, this arguably means the University is, in fact, prioritizing survivor agency over “zero tolerance.”

Similarly, not all breaches of the policy can, or should, result in the most severe remedies: suspension, expulsion or termination of employment. The language of “zero tolerance” risks creating false expectations among those who have been sexually harmed regarding what remedies the University might be able to impose in a given circumstance.

To avoid the false expectations raised by a “zero tolerance” statement, and concomitant sense of betrayal it inspires, the University can express its strong commitment to combatting sexual violence on campus and to responding seriously to all disclosures and reports of sexual violence, without doing so in the form of a “zero tolerance” statement.

---

<sup>32</sup> e.g. Because the survivor fears social backlash from peers.

<sup>33</sup> Such instances might involve reports or evidence of serial perpetration, or where there is publicly available evidence, such as video evidence.



The Policy now states in its “Purpose” section that it is “committed to maintaining a positive and respectful learning, living and working environment that respects the rights of StFX community members to learn, study, live and work free from sexual violence.” The Purpose section of the Policy also identifies sexual violence as a “serious social problem” perpetuated by rape culture and makes clear that “StFX affirms its commitment to fostering a culture on campus where attitudes and behaviours that perpetuate sexual violence are discouraged and rejected, Survivors are supported, and Disclosures and Reports of sexual violence are responded to seriously and in a manner that is procedurally fair.” These statements represent a realistic and achievable commitment by StFX. The “zero tolerance” policy statements can simply be removed.

**Recommendation 29:** Remove the “zero tolerance” statement from the Purpose, s.1.1 and 10.55 of the Policy.

Section 1.1 could be replaced, if StFX chooses, with a restatement of the commitment in the Purpose section of the Policy quoted above, to recognizing that sexual violence is a serious problem in society, and committing StFX to responding to disclosures and reports of sexual violence in a manner that supports survivors and through processes that are fair.

The IRP also recommends that StFX refrain from making “zero tolerance” statements in its public communications. Where such public communications are necessary, StFX can condemn sexual violence and emphasize its responsible practices without overstatements.

### **Reduce the Number of Broad Communications on Sexual Violence issued to the Community**

An area of concern raised repeatedly by community members in the IRP’s consultations related to the communications from the University about incidents of sexual violence. Many consultation participants felt that StFX does not communicate enough and should provide more information to the community than it currently does.

In the IRP’s experience, StFX has issued more communications to the University community than many other institutions. Over the years, when students have been charged with sexual offences and the media has reported on the charges, StFX has not only provided a comment in the media, but has also issued community-wide emails and, in some cases, multiple emails.



The IRP's sense from the consultations, is that many community members, both faculty and students, would like StFX to issue more communications, with more information in them, on individual cases.

In terms of communications regarding specific cases, the IRP's view is that this would not be a good approach. Further, although we sympathize with the pressure on the University when a case is in the news, we don't believe that more communication regarding specific cases will assist the University in building trust or being seen to be doing 'more.' Particularly given the limits on what the University can generally say in response to individual cases due to legal and confidentiality obligations, statements such as that a student, or former student, has been 'charged' and the 'University does not tolerate sexual violence' do not build trust. While we appreciate that the expectation of many in the community is that if, for example, a student or former student is criminally charged, they shouldn't hear about it in the news before they hear about it from the University, it is the IRP's view that this community expectation needs to be carefully examined.

We expect that the IRP's recommendation to reduce, rather than increase, communications with respect to specific incidents of sexual violence will come as a surprise to some members of the community, and that our recommendation in this regard would appear to be a departure from StFX's current approach and from community expectations.

StFX has a [communications grid](#) or framework, upon which the University currently relies. The IRP's recommendation is that, whether using its existing framework or by developing a new one, the University develop a principled approach specific to communications on incidents of sexual violence by community members. The principled approach could consider the following as a guideline:

1. Community-wide emails or publications posted on social media regarding specific cases should be the rare exception. For example, in the exceptional cases where there is a duty to warn. An example from the past was the situation that occurred a number of years ago, where there was a concern that an unknown, local taxi-driver was sexually assaulting student patrons.
2. Case-specific communications should be limited to impacted individuals, such as the complainant student or staff, or possibly others directly impacted by the incident, as well as faculty or others who are involved in accommodating or overseeing the complainant or respondent staff, faculty or student.





3. In other circumstances, if an incident is reported in the media, StFX may provide a response in the media as deemed appropriate by its communications experts but, in most cases, a university-wide email should be avoided.
4. In general, the communications from StFX to the community should be focused on information about how to access supports, where to go if someone has experienced sexual harm, how to learn more about affirmative consent or Waves of Change Training (or other training) and/or to promote other activities of the SVPRA office.

There are a number of reasons for the IRP's recommendation in this regard.

First, most of the time there is very little productive or helpful that the University can say, other than general platitudes such as "we take sexual violence seriously," "we are responding appropriately" and "we do not tolerate sexual violence." These types of responses tend not to console community members and may trigger demands for information that the University is not legally permitted to provide.

Second, community-wide emails or social media messages on specific incidents of sexual assault at StFX risk perpetuating a lack of understanding within the community regarding the nature of harmful sexual behaviour on campus. Paradoxically, these community-wide emails on specific cases risk either perpetuating the notion that sexual assault is exceptional and committed by individuals who are not the ordinary/norm,<sup>34</sup> or creating a culture of fear, particularly for women and queer students who are at higher risk of being targeted.

Sexual violence is pervasive in Canadian society. A focus on individual cases distracts from this reality and the steps that need to be taken to reduce and respond more effectively to systemic sexual violence.

Broad communications about the incidents of sexual harm on campus of which the University is made aware<sup>35</sup> should not be published by the University, except in exceptional cases where there is a duty to warn. Such communications undermine, rather than advance,

---

<sup>34</sup> This would undermine all of the good educational work done by StFX in which students are taught to reflect on consent and sexual harm within relationships, including on how their own practices and relationships may contribute to harmful behaviour.

<sup>35</sup> Statistically, these may well represent a fraction of instances.



the Policy's objectives of broad and impactful education on sexual violence, changing behaviour, changing social norms, and encouraging disclosures and reports.

**Recommendation 30:** StFX reduce the number of broad communications issued to the community related to reported incidents of sexual violence, and develop a principled framework for such communications that furthers the objectives of the Policy.

### **Evaluate the REES (Respect Educate Empower Survivors) Platform**

Around 2020, StFX became one of the many post-secondary institutions in Canada to contract with REES to make the REES web-based platform available to the StFX community. Information about REES can be found here: [www.reescommunity.com](http://www.reescommunity.com) .

The IRP has not evaluated REES and is not aware of publicly available evaluations by other institutions. The REES, however, has a number of features that could be beneficial, particularly for a small campus like StFX, where survivors are concerned about protecting privacy.

It is possible on the REES platform, for example, for a survivor or third party to connect with the SVPRAs entirely anonymously to request information about the process of a disclosure/report or to get information about accommodations. Usually, the SVPRAs will receive outreach from the community by email, which is identifying. It is also possible for someone who has experienced sexual harm to create an account and/or disclose information, such as their name, or a narrative of what happened to them. This information will be conveyed to the SVPRAs, who will then follow up with the individual.

At this time, the benefits and disadvantages of REES for StFX are unknown, since the platform, although available, has not yet been widely or actively promoted at StFX and so is not well-utilized. With the addition of a new staff member in the SVPRAs office, resources could be devoted to education around the strategic use of this platform.

**Recommendation 31:** The REES platform be evaluated on an annual basis, to consider its benefits and disadvantages, as well as whether to invest resources in promoting it at StFX.



### **Publish a Guideline Regarding Communications with Parents/Students under the Policy**

Senior administrators at smaller schools, like StFX, face challenges unique to the size of the institution. Frequently, such administrators have no choice but to wear many hats due to the absence of a larger complement of staff and administrative roles that may exist at larger institutions.

This challenge is particularly acute for the VP Students under the Policy.

The VP Students is responsible for many aspects of the Policy, including:

- ensuring, overall, that the Policy is implemented properly, including timelines, forms, communications, and that systems to support reporters and respondents are in place and effective;
- responsibility for the direct and indirect reports of many of the staff charged with implementing the Policy;
- making decisions under the Policy, in particular Immediate Measures,<sup>36</sup> and Discipline and Remedial Measures after an investigation has been completed;
- aggregate data reporting under the Policy, since the SVpra is an indirect report; and
- ensuring a safe learning and living environment for students and, at least outside of the Policy, receiving and responding, as appropriate, to communications from individual students and/or their parents.

These various roles can put the VP Students in a difficult position.

The Responsible Authority is expected to receive information from the parties when they make a decision about Immediate Measures and Discipline. In terms of Immediate Measures,<sup>37</sup> the Policy expressly states that the Reporting Party shall be consulted on Immediate Measures and the views of the Respondent must be taken into account. In terms

---

<sup>36</sup> This follows an assessment of risk and the needs and circumstances of the complainant, respondent and University and University community.

<sup>37</sup> ss.5.5, 5.12, 5.18 and 5.19.



of Discipline, s.10.49 permits both the Reporting Party and Respondent to make written submissions to the Responsible Authority on appropriate discipline/remedial measures, after a finding of breach is made by the investigator.

On the other hand, the RA should not be meeting with, or answering questions by, parents when individual students or parents communicate with them, when those same students are involved in an ongoing investigation over which the VP Students as Responsible Authority may render a decision, whether on Immediate Measures following a disclosure, or ultimately on Discipline. If such communications occur, it may require another administrator to assume the role of RA under the Policy.

The IRP understands that there is a protocol in place at StFX in which student survivors/complainants are directed to the SVPRA; parents are directed to the Director of Health, Counselling and Accessible Learning; and students/parents of the respondent are directed to the Director of Student Life. This is a good protocol, but it may not be sufficiently publicly available. When students are involved in a sexual violence process, the students and their family members may be, understandably, very upset. The RA should be protected by a communications protocol that is on the StFX website.

In addition, StFX may wish to add to the protocol that, in general, communications by students or their parents to the RA under the Policy<sup>38</sup> should be in writing, and that where students/parents require or insist on contact with a higher-level member of the administration other than those prescribed under the Policy in the context of an ongoing investigation, they should be escalated to another senior administrative staff member, such as the VP Academic & Provost, or other appropriate or designated VP.

The above guidelines, if formalized, will assist StFX in managing the Policy and the demands from students and parents who, understandably, may be very stressed and upset about their involvement in a sexual violence complaint.

**Recommendation 32:** StFX expand and make more accessible its internal protocol for directing communications by students and their families where there is an ongoing investigation.

---

<sup>38</sup> e.g. Relevant to immediate measures.



### **Other issues raised with the IRP – Immediate Measure of Moving Respondent Students to a New Residence**

A common immediate measure following a disclosure of sexual violence in residence, is for StFX to move the respondent student to another residence. This move can serve protective purposes for both the survivor and the person who was reported to have caused harm. For the survivor, it allows her to continue to live in her residence without the psychological and other harms of running into the respondent in the hallway or common areas. For the respondent, it can assist in protecting them from gossip and reprisals within the residence.

The solution, however, is imperfect.

Students reported to us that the residence move is perceived as doing nothing more than foisting a perpetrator on another group of students, without that new group of students knowing that the perpetrator poses a risk due to confidentiality related to the move. Residence staff expressed that it can be difficult and unsettling to receive a new student mid-term, without being told the reasons why, and in some cases having to manage gossip in the new residence about that individual. Another student observed that when a student reported to have caused harm is moved, for example from MacKinnon to Riley, he has been rewarded for his misconduct by being moved to a more luxurious residence with a private bathroom.

The IRP acknowledges that, institutionally, there are both benefits and disadvantages to moving respondents between residences as an Immediate Measure following a disclosure or report of sexual violence.

The IRP recommends that, on balance, despite the concerns and criticisms described above, moving a respondent to a new residence in cases where that is deemed appropriate by the Responsible Authority, is often a best possible choice among constrained options. The expectation of some students, that the respondent should be removed from campus, is not rooted in fairness and, in most cases, cannot be met by the University. A residence move achieves one of the fundamental goals of Immediate Measures, which is ensuring the safety and well-being of the complainant.

To address the concerns above, however, the IRP recommends that where the respondent is a first-year student, StFX consider moving respondents to upper-year residences, and where the respondent is an upper-year student, that person be moved to a residence that is more



removed from the student community. In terms of sharing information about the reason for the move, as discussed above (regarding the sharing of information), our view is that information will generally not be shared, and when such information is shared with residence staff it will follow a discussion where the reasons for the disclosure are precise and principled and will be accompanied by support from the SVpra or other similarly trained staff.

### **Other issues raised with the IRP – Overcoming or Reinforcing Norms?**

Section 1.5 of the Policy, states as follows:

StFX recognizes that sexual violence is under-reported for a variety of reasons, including shame, stigmatization, self-blame, and fear of reprisals, isolation, ostracism or of being dismissed or disbelieved.

The IRP heard interesting feedback on the above statement to the effect that, while the above statement is true and well-intended, it might have unintended consequences. One participant submitted to the IRP that presenting normative information can backfire, if the “normal” behavior is not the desired one. They expressed concern that such normative information implicitly—and inadvertently—sends that message that “This is what most people are doing, so it must be okay.” In the context of sexual violence, this participant worried that section 1.5 of the Policy might signal to a survivor that, “Most survivors don’t report, so I guess I won’t report...” thus inadvertently further discouraging reporting.

The IRP has no information about whether such a normative statement in a Policy in fact deters reporting. The IRP also notes that section 1.5 of the Policy could be useful for other policy purposes, such as to justify and support, for example, the University in making Immediate Measures decisions which, among other criteria considered, validate and support reporting to protect the campus community.

That being said, the section is not essential in the Policy and other subsections, such as 1.6 and 1.7, also capture barriers to disclosures and reports.

StFX may wish to consider, in the course of StFX’s increased education and prevention work, engaging the StFX Community on whether recognition of under-reporting of sexual assault in sections 1.5 and 1.6 of the Policy is validating and helpful or, in fact, deters reporting.



## **CONCLUSION**

It is a clear demonstration of StFX's commitment to progressive change, and to transparency, that StFX approached Watershed to undertake this public follow-up review, four years after StFX's new Sexual Violence Policy was adopted. StFX should be commended for taking this step.

As discussed in this report, StFX has made many significant positive changes since 2019. Change doesn't happen overnight. The fact that there are areas where StFX can take additional action is not surprising.

The IRP has made over thirty recommendations, some of which can be implemented immediately or in the very short term, some of which require Policy change, and some of which require resourcing.

The IRP is impressed by, and grateful for, the generous and genuine commitment of time, energy and thoughtful contributions of all those who have been involved in this process, including the support staff, consultees, administrators, faculty members, students and other community members.

We thank StFX for engaging Watershed in this process and we hope the conversations sparked during our consultations, along with the IRP's recommendations, will assist StFX in its culture, policy and practice changes to address sexual violence on campus.



## List of Recommendations

**Recommendation 1:** The Athletics Equity and Safe Sport Committee (or initiative) be chaired or directed by an external person, on a one-year timeline, to review relevant documents and create a plan of action. The resulting report, like Watershed's, should be transparent, public and delivered to the President.

**Recommendation 2:** A structure be implemented to ensure an annual rotation of men's and women's games as the headliner at the StFX Homecoming.

**Recommendation 3:** An equity initiative be immediately implemented in which the university imposes a requirement that a percentage of donations to men's "top three" teams must be used to promote equity initiatives in athletics.

**Recommendation 4:** The Athletics Equity and Safe Sport Committee (or initiative) consider:

- a. The implementation of a concrete strategy to ensure the hiring of one or more women head coaches at StFX in the next three years, as well as a concrete strategy to ensure the success of that coach in the critical first few weeks of her arrival, as well as thereafter;
- b. Develop a proposal to present to the AUS leadership to revise AUS schedules/timetables to divide 'prime time' game times evenly between men's and women's sports in the AUS;
- c. Undertake a detailed analysis of scholarships, including AAC and AFAs at StFX, to provide a rigorous review of the comparative funding of men's and women's teams.

**Recommendation 5:** Waves of Change Training be mandatory annually for both varsity and club coaches, trainers and assistant trainers for the next five years, to be completed in the fall term. The training may be modified or updated for staff who have taken the training multiple times.

**Recommendation 6:** Waves of Change Training be mandatory for club athletes once per academic year, and for varsity athletes twice per academic year; once in August/September and a second time in the Winter term.





**Recommendation 7:** For the next three years, the University administration require that the Director of Athletics and head coaches meet with the SVPR, Human Rights and Equity Advisor, Black Student Advisor, Indigenous Student Advisor, and Gender and Sexual Diversity Advisor, and their relevant Directors, three times per year (summer, fall, and winter) to integrate these other University experts and services into the leadership training and development of student athletes, and to identify issues and their solutions. The meetings should be minuted with action items and follow-up.

**Recommendation 8:** The SVPR, Human Rights and Equity Advisor, Black Student Advisor, Indigenous Student Advisor, and Gender and Sexual Diversity Advisor be integrated into the delivery of leadership training in the “Leadership Academy” for athletes.

**Recommendation 9:** For the next four years (one generation), the football team be required to participate in the Waves of Change training in their residences, in order to redress the actual or perceived entitlement of these students within the residence community.

**Recommendation 10:** The Athletics webpages and resource documents should clarify that the primary contact for all confidential disclosures of sexual violence is the SVPR.

**Recommendation 11:** StFX should continue to disrupt traditions and behaviours that contribute to exclusion and incidents of harm, including revolving around conquests of women, naming traditions, and grooming first-years in upper-year partying.

**Recommendation 12:** In implementing Recommendation 11, StFX should invest in staffing and programming, including programming targeted at creating new forms of community-building between upper-years at StFX and the first-years in residence.

**Recommendation 13:** StFX should continue to increase its staff complement of professional staff in residences, particularly RLCs.

**Recommendation 14:** Further to Recommendations 16 and 18 below, an expanded SVPR office should assist with residence by engaging in targeted follow-up, prevention and education at residences where harmful traditions persist and in better training and supporting CAs.

**Recommendation 15:** StFX should have one consolidated policy prohibiting hazing, rather than separate Senate and Athletics policies. The Hazing Policy should expressly incorporate



other relevant StFX policies. Hazing that would be captured by the Sexual Violence Policy should be disclosed to the SVPRA and processed under that Policy; other hazing should be disclosed to a representative in Student Services identified by StFX and addressed under the Community Code of Conduct (in consultation with Athletics where a student athlete is involved).

**Recommendation 16:** A second full-time SVPRA staff person should be hired, whose focus in the first few years should be prevention and education, including education with respect to the Policy. The SVPRA position should, like the first position, require expertise in sexual violence and trauma-informed practice, as well as skills or experience in education, communications, and training.

**Recommendation 17:** For the next two years, StFX should establish a summer student position of no fewer than 20 hours per week to support the work of the SVPRA, including to develop and deliver the Waves of Change training commencing in August and September of the following term.

**Recommendation 18:** Assign the new SVPRA the role of working with communities, such as CAs in a residence, a residence community, or the athletics community, to de-escalate, and educate in response to, or in the context of, incidents of sexual violence.

**Recommendation 19:** Require RLCs to include the SVPRA in residence staff meetings, at least once per semester to educate, debrief and provide support.

**Recommendation 20:** Assign one or more members of the counselling team to meet at regular intervals with student residence staff of each residence as a group to debrief and provide support.

**Recommendation 21:** Establish a Sexual Violence Internal Review Team to meet at regular intervals to share anonymized information and to discuss, with a focus on procedure and practice, what issues/incidents have arisen or been disclosed, the nature of the incidents, the presence of any existing or emerging risk factors or trends on campus, and whether communications or procedures need to be refined, considered or addressed.

**Recommendation 22:** StFX prioritize publishing annual data on sexual violence disclosures and reports, detailed to the extent possible while complying with privacy legislation.



**Recommendation 23:** The President attend the President’s SVPR Committee meeting at least once per year, to receive and discuss the SVPR’s annual report and prioritize resources and initiatives, including implementation of the recommendations in the IRP report.

**Recommendation 24:** The IRP recommends that s.14.12 of the Policy be amended as follows:

14.12 A failure to disclose Sexual Activity with a student in accordance with s.14.6 and 14.7 of the Policy, constitutes sexual misconduct by the Teaching Staff. The failure to disclose will also be relevant to whether the student consented to any of the Sexual Activity.

**Recommendation 25:** The definition of incapacitated under the Policy should be amended as follows:

Incapacitated: Includes a person who does not have the capacity to give consent because they are, for example, unconscious or asleep or their judgment is impaired, such as by alcohol and/or drugs, to the extent that they cannot appreciate the risks or consequences of the sexual act. In addition to obtaining affirmative consent, it is the responsibility of the person initiating or continuing sexual contact with a person who has consumed alcohol/drugs or who may be intoxicated or impaired to ascertain and confirm that the latter individual is capable of: voluntarily agreeing to the act, understanding its sexual nature and with whom they are engaging in it, understanding that they can withdraw consent at any time, and appreciating the risks and consequences of the sexual act.

**Recommendation 26:** In order to reach and train faculty on key aspects of the Policy, the IRP recommends that agenda time be devoted at other scheduled faculty or University meetings for the SVPR to deliver targeted training.

**Recommendation 27:** An additional counsellor be hired at StFX who specializes in sexual trauma, with priority to be given to someone who identifies as racialized or Indigenous. The counsellor should be a full-time position, and available to students and staff in the summer months, in addition to the academic year.

**Recommendation 28:** Build on and develop Waves of Change training, as delivered at StFX, to better incorporate diverse experiences, in particular, those of 2SLGBTQIA+, racialized and Indigenous students.



**Recommendation 29:** Remove the “zero tolerance” statement from the Purpose, s.1.1 and 10.55 of the Policy.

**Recommendation 30:** StFX reduce the number of broad communications issued to the community related to reported incidents of sexual violence, and develop a principled framework for such communications that furthers the objectives of the Policy.

**Recommendation 31:** The REES platform be evaluated on an annual basis, to consider its benefits and disadvantages, as well as whether to invest resources in promoting it at StFX.

**Recommendation 32:** StFX expand and make more accessible its internal protocol for directing communications by students and their families where there is an ongoing investigation.



## Appendix A: Terms of Reference<sup>39</sup>

### Background

In 2019, Watershed Legal Projects (then named Canadian Centre for Legal Innovation in Sexual Assault Response (CCLISAR)), was engaged by St Francis Xavier University (“StFX” or “the University”) to undertake an external and independent review of the StFX Sexual Violence Policy, and other related University policies, procedures and practices, to ensure that the University had effective and defensible practices and procedures that were responsive to those who report experiences of sexual harm; trauma-informed; and procedurally fair.

Watershed delivered a draft policy and report to StFX on June 30, 2019.

In December 2019, the Board of Governors of StFX approved a new Sexual Violence Response Policy (the “Policy”) for StFX based on the Watershed draft policy. In 2019 and following, StFX continued to refine its procedures and practices for preventing and responding to sexual violence, including establishing the role of the Sexual Violence Prevention and Response Advocate.

The Sexual Violence Response Policy was updated again in August 2021 and is scheduled for mandatory review in June 2024. Watershed has been engaged to assist StFX in this mandatory review in accordance with the mandate set out in the Terms of Reference below.

At the same time as the Sexual Violence Response Policy is being reviewed, StFX has also launched the Athletic Equity, Safety, and Well-being Project. This Project intersects with StFX’s efforts to prevent, address, and respond to issues of sexual violence on campus, including within athletics. Watershed’s Independent Review Panel (IRP) will include consultations with the Athletics Equity and Safety Advisory Committee (as well as others within athletics) as part of the Watershed Review.

---

<sup>39</sup> St Francis Xavier University, “Sexual Violence Policy Review – Terms of Reference”, online: <<https://www.stfx.ca/sexual-violence-policy-review/mandate-tor>>.



## **Mandate**

StFX has engaged Watershed to conduct an external and independent review of the Sexual Violence Response Policy and practices under the Policy, as well as relevant intersecting university policies and practices, for the period 2020-2024. The review will include consideration of the broader campus culture relative to sexualized violence, including but not limited to, power dynamics, attitudes towards consent, and the impact of social norms on reporting, particularly within the context of residence and athletics.

Watershed will produce a report for StFX. The report will summarize the review process, discuss what the Independent Review Panel heard and observed, and make recommendations, as applicable, for change. The report will be made public. The contributions of any individual who participates in the review process will be anonymized.

## **Review Process**

The review process will be undertaken in 4 stages.

**Stage 1.** The Independent Review Panel will conduct a document review of the University's relevant policies and procedures, as well as any other documentation and materials provided by the University or requested by the IRP.

Stage 1 will also include initial and preliminary meetings with StFX representatives, within the discretion of the IRP.

**Stage 2.** The IRP will conduct in-person consultations with relevant stakeholders over the course of two days, February 8 and 9th 2024 in Antigonish, Nova Scotia. The focus of these consultations will be on the operation of the University's Sexual Violence Response Policy and any related policies. The consultations will include meetings with individual members of the university community, as well as groups (e.g. departments, clubs, or other organizations) who express an interest in meeting with the IRP. The University will manage the scheduling and coordination of the in-person consultation meetings. The Chair of the Panel may also conduct additional consultations virtually or by phone as she deems appropriate.

The opportunity to participate in this consultation will be advertised by the University and meeting times will be made available to students, staff, and faculty who wish to participate. To request a meeting, please email Susan Grant at [sagrant@stfx.ca](mailto:sagrant@stfx.ca).



The university community will also be invited, during the months of January, February, and March 2024 to provide confidential written input to the IRP. The IRP will use a confidential Watershed email account ([contact@watershedlegalprojects.ca](mailto:contact@watershedlegalprojects.ca)) external to StFX, for the purpose of receiving comments and information regarding the operation of the University's Sexual Violence Response Policy and any policies with which it intersects, and those aspects of university culture that perpetuate a culture of sexualized violence.

Any comments, observations, or insights offered during these consultations or in writing will remain unattributed in Watershed's report. The IRP's notes, emails received through the IRP's designated email account, and internal correspondence between members of the IRP will not be produced to the University or made public.

**Stage 3.** An Expert Advisory Group ("EAG") meeting will be held, virtually, on May 1, 2024. The meeting will be attended by external experts, the members of the IRP and representatives of StFX. A discussion document will be prepared by the IRP in March/April 2024 for the purposes of the EAG meeting and provided in advance of the meeting to all EAG participants. The discussion document will summarize the key issues/observations from the consultations, as well as the IRP's preliminary recommendations.

**Stage 4.** Following the EAG meeting, the IRP will prepare its final report. The IRP and/or the Chair of the Panel may engage in follow-up consultations or meetings with members of the StFX community as appropriate/necessary.

The final report will be delivered to StFX by no later than June 30, 2024.

### **Composition of the Independent Review Panel**

The Independent Review Panel will be comprised of three individuals external to the University. The Chair of the IRP will be a practicing lawyer with expertise in gender-based harm and university-related complaints processes. The second and third members of the IRP will include individuals with legal training and expertise in legal responses to sexualized violence. At least one of these members will be a legal academic. The other will be either an academic or practicing lawyer.



## **Composition of the Expert Advisory Group**

The Expert Advisory Group will have up to ten members. Members of this group will have relevant experience in university complaints processes and/or legal processes for responding to sexualized violence (e.g. adjudication or investigation) and/or expertise regarding issues of gender-based harm. Emphasis will be placed on persons with expertise in the areas of university athletics and/or residences. The Chair of the IRP will also chair the EAG and the other two members of the IRP will be a part of the EAG. Up to five members of the EAG will be selected by the University from among members of the University community (preferably a member of the University's senior administration team who is familiar with StFX policies; a faculty member; and a student, including and/or as well as, representatives in the areas of athletics/residence). Up to two further members of the group will be selected by the Research Director of Watershed. Members selected by the Research Director of Watershed will be external to the University.

The EAG will provide advice to the IRP on the issues raised during the consultations and the IRP's proposed solutions or recommendations, in response to the issues raised.

## **Timeline for the Review**

### **January 2024**

- Finalize terms of reference/contract
- Initiate review of documents provided by University.
- Compile list of relevant stakeholders for consultations (in consultation with University)
- Schedule in-person consultations (in collaboration with University)

### **February 2024**

- Complete review of the University documents
- Conduct In-person consultations held at StFX, February 8 and 9, 2024.

### **March/April 2024**

- Chair to conduct follow-up consultations/Interviews
- Draft EAG Report





#### **April 2024**

- Circulate EAG Report to Expert Advisory Group

#### **May 2024**

- Hold Expert Advisory Group Workshop
- Conduct any necessary follow-up meetings
- Draft final report

#### **June 30, 2024**

- Finalize and provide Final Report to the University



## Appendix B: Biographies

**Joanna Birenbaum** is a litigator in Toronto with over two decades of expertise in gender equality and sexual violence. Her diverse practice in these areas includes constitutional litigation, civil sexual assault claims, employment law, human rights and workplace investigations, representing complainants in sexual history and records applications in criminal sex assault proceedings, defending malicious prosecution and defamation claims targeting women who have reported sexual violence, and Supreme Court of Canada appellate advocacy. Joanna also prosecutes for a regulated health college in Ontario and advises institutions and employers on sexual violence policies and procedures. In 2021, Joanna was awarded the President's Award by the Women's Law Association of Ontario. Joanna was a 2014-2015 McMurtry Fellow at Osgoode Hall Law School and adjunct faculty at Osgoode (2014-2017). In addition to her private practice, Joanna is the President of Watershed Legal Projects. Joanna has published in the area of sexual violence including the book, co-authored with Professor Karen Busby, "Achieving Fairness: A Guide to Campus Sexual Violence Complaints" published by Thomson Reuters (March 2020).

**Elaine Craig** is a Professor of Law at Schulich School of Law, Dalhousie University and Research Director of Watershed Legal Projects. She teaches and researches in the areas of sexual assault law, constitutional law, evidence law, law and sexuality, and feminist legal theory. She received her doctorate in law from Dalhousie University. She also holds a master's degree in law from Yale University, a bachelor's degree in law from Dalhousie Law School and a bachelor's degree in criminology from the University of Alberta. She has published articles on sexual assault law, the criminal regulation of sex work, censorship, sexual minority equality, feminist legal theory and queer legal theory and is the author of two books: *Troubling Sex: Towards A Legal Theory of Sexual Integrity and Putting Trials on Trial: Sexual Assault and the Failure of the Legal Profession*.

**Maria Dugas** is a Professor of Law at Schulich School of Law, Dalhousie University. Professor Dugas earned her Juris Doctor at the Schulich School of Law in 2015 and articulated at Nova Scotia Legal Aid, then completed her Masters of Law in 2018. She is a recipient of the James Robinson Johnston Graduate Studies Scholarship and was the first African Nova Scotian to clerk at the Nova Scotia Court of Appeal. She joined the faculty at the Schulich School of Law in 2018. She teaches and researches in the area of critical race legal theory, criminal justice, and intellectual property law. She is the author of numerous articles including research focussed on racism, sexism and misogyny in sports, and race and culture assessments in the sentencing of African Canadian offenders.



## Appendix C: StFX Sexual Violence Prevention Committee Communication Grid<sup>40</sup>

Types of Cases/Scenarios	Who does the assessment of risk?	What are the reasons for communication?	Who decides what is communicated? Who communicates?	What information is shared and how?	When must the message go out?	Examples of information to share about the issue
<b>Risk to the community is high</b>	Sexual Violence Risk Assessment Team: -VP Students -Director of Health and Counselling -Director of Student Life Using Risk Assessment Guide	-Risk Serious Continuing threat to campus - Keeping in mind jurisdictions when police release information -If risk to the public is low, public bulletin is not required to ensure survivors' right to privacy	Risk Assessment and Communication Protocol: -SV Risk Assessment Team determines risk and what information needs to be provided about the nature of the event and what measures are being taken. -Director, Communications drafts and sends message once finalized.	-Identify the nature of the risk (what information does the community need to be informed of for personal safety?) -Identify what measures have been taken by RCMP or StFX, and what actions are in progress (i.e. further investigation). -Relevant resources always included in communications.	Risk Assessment and Communication Protocol: -Within 24 hours -Quick internal communication amongst VP Students, Director of Health and Counselling, Director of Student Life, with the Director of Communications	-On-going; it is before the courts -Interim measures in place -A description of the incident -A statement outlining the rationale for issuing the alerts. -A request for any information from the public. -Victim or survivor resources and support services available.
<b>Public attention (or assessed as likely to)</b>	Sexual Violence Risk Assessment Team: -VP Students -Director of Health and Counselling -Director of Student Life Using Risk Assessment Guide	-Story already in public domain or soon to be released -Also if a police bulletin is released -Active social media topic causing disruption	Risk Assessment and Communication Protocol: -SV Risk Assessment Team determines risk and what information needs to be provided about the nature of the event and what measures are being taken. -Director, Communications drafts and sends message once finalized	-Repeat message already sent ensuring clarity -Identifying resources and support available for victim survivors -Restating position of policy	-Preferably ahead of media release; if not possible, as soon as possible thereafter	-Note that an interview was done -Meant to clarify and acknowledge the incident and that it was reported, or will be and assurance we are aware
<b>Bi-Annual Report</b>	-SVPIC	-Regular Updates ensure all aggregated cases are reported	-SVPIC	-Aggregate number of incidents are reported		-See Nova Scotia university sexualized violence reporting template
<b>General awareness with no specific threat identified</b>	-VP Student Services -Director of Health and Counselling -Director of Student Life -And/or SVPIC	-Education and public awareness	-VP Student Services -Director of Health and Counselling -Director of Student Life -And/or SVPIC	-Orientations, Events, Resource lists, Policy updates, Training and new resources		-Use examples of what we have learned

<sup>40</sup> Visible@X, Sexual Violence Prevention Committee, "Communication Grid" (13 May 2019), online: <[https://www.stfx.ca/sites/default/files/documents/Visible\\_At\\_X-SVPC-Communication-Grid-May-13-2019.pdf](https://www.stfx.ca/sites/default/files/documents/Visible_At_X-SVPC-Communication-Grid-May-13-2019.pdf)>.