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SELECT COMMITTEE ON SEXUAL VIOLENCE AND HARASSMENT

Final Report



1st Session, 41st Parliament
64 Elizabeth II

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The Honourable Dave Levac, MPP
Speaker of the Legislative Assembly

Sir,

Your Select Committee on Sexual Violence and Harassment has the honour to present its Final Report and commends it to the House.

Daiene Vernile, MPP
Chair of the Committee

Queen's Park
December 2015

SELECT COMMITTEE ON SEXUAL VIOLENCE AND HARASSMENT

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1st Session, 41st Parliament

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INTRODUCTION

In the fall of 2014, Ontarians were shocked by the news of several high profile cases of sexual violence and harassment. Stories emerged from workplaces, campuses, the military, and government. As has happened many times, these reports were initially met with skepticism and even ridicule: “Why didn’t she say something earlier if it was so bad?” or “I know him, he would never do something like that.”

But as fall turned into winter, the one or two lone voices turned into a wave of anger across the country. A Twitter hashtag, #BeenRapedNeverReported, launched by two Canadian journalists, was retweeted around the world millions of times in a matter of days. People who may have doubted the stories when they first broke were forced to realize the extent of the problem. Skepticism turned into solidarity and a commitment to social change.

It was against this backdrop that the Select Committee on Sexual Violence and Harassment was created on December 11, 2014, and given a mandate to make recommendations to help prevent sexual violence and harassment and to improve the province’s response system to these problems. Select Committees of the Legislative Assembly of Ontario provide a unique opportunity for Members of all political parties to work cooperatively towards a shared goal. There is a tradition of less partisanship, as Members agree to develop recommendations they can unanimously support. The Select Committee on Sexual Violence and Harassment was no exception, and we are pleased to present our final report and recommendations almost one year to the day that we received our mandate.

The Members of the Select Committee are united by the experience of listening to survivors, family members, advocates, and health care, justice, and social support workers across the province. Although many of the incidents that were related were profoundly disturbing, just as troubling were the difficulties that survivors faced in their attempts to obtain support or justice. A number of witnesses expressed thanks for being given the opportunity to tell their stories for the first time. Other voices were angrier, reminding the Committee that the facts about sexual violence and harassment are well known, as are the shortcomings plaguing our response system.

These witnesses were willing to appear before the Committee because they hoped that something positive would result from the proceedings. These survivors and their supporters want to live in an Ontario where sexual violence and harassment are taken seriously, and where every effort is made to reduce their incidence. They want an improved response system, whether they choose to seek justice through the court system or support from health care and community organizations. Acknowledging the scope and depth of the problem, we strongly encourage the Legislative Assembly of Ontario to endorse our numerous recommendations and advocate for their implementation. We owe this much to all of our witnesses, and to all of Ontario.

ORGANIZATION OF THIS REPORT

In March 2015, the Ontario government launched *It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment*. This plan contains numerous commitments, including a public education campaign to challenge attitudes, supports to improve the experience of survivors in the criminal justice system, and the introduction of legislation to enhance the civil claims process and address sexual violence and harassment in the workplace, on campuses, and in rental housing.

Since that time, the Ontario government has acted on a number of these promises. On October 27, 2015, the Minister Responsible for Women's Issues, the Hon. Tracy MacCharles, introduced Bill 132, the *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2015*. This legislation, if passed, would implement more of the components of *It's Never Okay*.

Recognizing that the Ontario government shares a commitment to preventing sexual violence and harassment and improving Ontario's response system, the Committee decided to structure its report around the major initiatives in *It's Never Okay*. Some of the issues we received testimony about during our public hearings have been addressed by the government's response to date, and will be further addressed if Bill 132 is passed. Throughout this report, we note areas where the testimony the Select Committee has received and the recommendations we make are in basic accord with the proposals in *It's Never Okay*.

The Select Committee also wants to ensure that Ontario's response to sexual violence and harassment is ongoing and comprehensive. Sexual violence and harassment are complex problems with deep roots, requiring a long-term strategy and multi-year commitment. It will take years to transform the norms and behaviours that make sexual violence and harassment so pervasive, yet so trivialized and even ignored. The health and community support services that survivors need in order to recover from incidents of sexual violence and harassment require adequate and stable funding well into the future. Therefore, the Select Committee has developed its own recommendations in addition to those that appear in *It's Never Okay*.

This report is organized as follows. It begins with a summary of basic facts about sexual violence and harassment. In the following sections, each of the major recommendation areas in *It's Never Okay* is presented in a text box. The Select Committee's related comments and recommendations appear beneath these boxes. The report concludes with a discussion of several issues that the Committee believes are particularly important based on the testimony it received during its hearings, but have not been fully addressed in *It's Never Okay*, with further recommendations. Information about the Committee's mandate, preceding developments, meetings and public hearings, and a complete list of witnesses are presented in the Appendices.

UNDERSTANDING SEXUAL VIOLENCE AND HARASSMENT

The World Health Organization defines sexual violence as “any sexual act, attempt to obtain a sexual act, or other act directed against a person’s sexuality using coercion, by any person regardless of their relationship to the victim, in any setting.”¹ Witnesses appearing before the Select Committee noted that sexual violence is an umbrella term, covering behaviours ranging from unwanted sexual advances or sexual touching, to stalking, to rape. Sexual violence can also be psychological, conveyed through verbal threats and various forms of social media such as Twitter and Facebook.

Sexual harassment, on the other hand, involves unwelcome comments or actions based on sex, sexual orientation, gender identity, or gender expression. Sexual harassment can occur in the workplace, in classrooms, on the street, and in many other circumstances. The Committee understands that it also takes numerous forms, including bullying, leering, derogatory language, intimidating or offensive jokes, unwanted sexual advances, and the creation of a poisoned environment (for example, via the display of pornographic images in the workplace). Online sexual harassment is a growing problem, particularly among young people.

Sexual violence and harassment can affect any person, but the Committee recognizes that they most commonly impact women and girls. In recent years, 92% of victims of sexual offences over the age of 15 in Canada have been women; virtually all attackers (99%) were men.² While there were 7,618 sexual assaults reported to police in Ontario in 2014, it is estimated that almost 90% of sexual assaults are not reported to the police.³ Therefore, the problem is much larger than police statistics reveal: in total, one in three Canadian women will experience sexual assault in their lifetimes.⁴ Sexual harassment, on the other hand, has not been systematically studied since a 1993 Statistics Canada report showing that 23% of Canadian women had experienced workplace harassment during their careers.⁵ The problems, by any measure, are vast.

Sexual violence and harassment do not occur in a vacuum. These behaviours are commonly contextualized as expressions of power and control rather than sexuality. The Select Committee received considerable testimony about what is sometimes called rape culture, the beliefs, norms, and behaviours that tolerate, justify, minimize, and sometimes even encourage sexual violence and harassment.

¹ World Health Organization, “Violence against Women,” Fact Sheet No. 239, updated November 2014.

² Maire Sinha, ed., *Measuring violence against women: Statistical trends*, Statistics Canada, Cat. No. 85-002-X (February 2013), pp. 29, 31.

³ Jillian Boyce, *Police-reported crime statistics in Canada, 2014*, Statistics Canada, Cat. No. 85-002-X (July 22, 2015), p. 35; and S. Perreault and S. Brennan. “Criminal victimization in Canada, 2009,” *Juristat* (30)(2), 2010, Statistics Canada, Cat. No. 85-002-X, p. 14.

⁴ Statistics Canada, *Measuring Violence Against Women: Statistical Trends 2006*, Cat. No. 85-570-XIE (October 2006), p. 24.

⁵ Holly Johnson, “Work-related sexual harassment,” *Perspectives on Labour and Income* (6)(4) (Winter 1994), Statistics Canada, Cat No. 75-001-X, p. 2.

Rape culture perpetuates the myth that women lie about sexual assault, and makes it acceptable to ask them what they were wearing or if they had consumed alcohol at the time. It means that it can take dozens of women coming forward before people will believe that an incident of sexual violence or harassment occurred, particularly if a celebrity, powerful boss, or influential person is accused. Rape culture makes it difficult for victims to name what has happened to them, even though they know they have been violated against their will. Rape culture treats sexual assault as entertainment, and sends subtle messages through the media and many forms of new technology that women and girls are to be admired mostly for their appearances and sexuality. It encourages men and boys to believe that they have a right to sexual access to women, and belittles them if they cannot attain it. Rape culture makes it hard for men and boys who have experienced incidents of sexual violence to report them and obtain care, as society does not recognize that they can also be victimized.

The Select Committee was repeatedly reminded that other forms of power and inequality—based, for example, on age, race, sexuality, and abilities—can intersect to place some individuals at greater risk of experiencing sexual violence. Children and youth are particularly vulnerable. Almost 60% of all sexual assault victims in Canada are under 18, and 25% of them are under 12.⁶ Because child sexual abuse increases the risk of further victimization later in life, and because perpetrators of sexual violence are more likely to have been sexually abused as children than the general population, it is vitally important for any strategy to prevent sexual violence and harassment to focus on keeping young people safe.

Aboriginal people are another high risk group, with Indigenous women accounting for approximately 11% of dating homicides, and at least 8% of all homicides.⁷ An estimated 20% of transgender and transsexual Ontarians have been physically or sexually assaulted.⁸ People with disabilities face twice the risk of sexual assault as do other Canadians, and must also confront complex barriers in accessing police services and other supports.⁹ Experiences of sexual violence and harassment can be exacerbated in the case of some newcomer women due to language barriers, isolation, and cultural expectations. Other LGBTQ individuals, visible minorities, and college and university students (including international students) also experience higher rates of sexual violence and harassment, and face more barriers in their attempts to obtain justice and care. Throughout this report, we will make recommendations that specifically target these more vulnerable groups.

⁶ Statistics Canada, *Sexual Assault in Canada 2004 and 2007*, Canadian Centre for Justice Statistics Profile Series, Cat. No. 85F0033M, No. 19 (December 2008), p. 13.

⁷ Sinha, *Measuring Violence Against Women*, p. 57; and Royal Canadian Mounted Police (RCMP), *Missing and Murdered Aboriginal Women: A National Operational Overview*, 2015, p. 9.

⁸ Greata Bauer, et al., "Suicidality among trans people in Ontario: Implications for social work and social justice," *Service social* 59(1) (2013), p. 41.

⁹ Samuel Perrault, "Criminal Victimization and Health: A Profile of Victimization among Persons with Activity Limitations or Other Health Problems," Canadian Centre for Justice Statistics Profile Series, Statistics Canada, Cat. No. 85F0033M, No. 21, p. 8.

MEASURING SUCCESS

The *It's Never Okay* Action Plan indicates that the government will monitor progress and update Ontarians on the plan's first year anniversary. Various means will be used to track progress including

- incorporating performance metrics to measure outcomes for Action Plan initiatives;
- conducting surveys and polls to measure Ontarians' experience and opinions relating to sexual violence and harassment, for example, changed attitudes regarding rape myths, or reduced vulnerability of women and girls in diverse communities;
- tracking reporting levels and working with sector partners to gauge whether the Action Plan is achieving success at improving the outcomes and experiences of those who have experienced sexual violence and harassment; and
- determining cultural shifts through data analysis to find out whether more people who experience sexual harassment are accessing supports and services, and more bystanders feel empowered to tell their stories.

The Select Committee supports the government's intention to monitor progress and measure outcomes relating to *It's Never Okay*. Witnesses appearing at our hearings stressed the need for the adequate setting and evaluations of goals.

However, the Select Committee also received testimony cautioning that a shortage of baseline data and research is affecting our understanding of the extent of sexual violence and harassment. For example, we lack up-to-date statistics about the incidence of sexual harassment and childhood sexual abuse in Ontario and Canada, and a standardized system to track cases of human trafficking. Similarly, although we know that sexual violence on campuses and universities is a serious problem, we do not have data about its extent. Service providers also need ways of developing and sharing best practices about effective therapies for survivors and treatments for perpetrators.

The Select Committee therefore supports the government's intention to monitor progress and measure outcomes relating to *It's Never Okay*, with the goal of ensuring that programs are working. The Committee also recommends that:

1. The Ontario government support research specific to sexual violence and harassment, including the collection of systematic baseline data and the development and evaluation of treatment protocols.
2. The Ontario government facilitate the development and sharing of best practices, including effective supports for survivors of sexual violence and treatment protocols for perpetrators.

RAISING PUBLIC AWARENESS

To raise public awareness of sexual violence and harassment and challenge behaviours, the *It's Never Okay* Action Plan states that the government will

- continue to fund existing public education campaigns, including bystander campaigns that encourage individuals to challenge the attitudes and norms that perpetuate sexual violence, and to intervene safely and effectively;
- initiate a public education campaign to ensure that survivors know they are entitled to receive a supportive response when reporting an assault to police;
- through public education, reach out to diverse groups of Ontarians, including the LGBTQ community, newcomers, and those in diverse communities, people living with disabilities, and seniors, to ensure they know every person has the right to be protected against sexual violence and harassment, and know how and where to get help; and
- launch a creative engagement fund to provoke discussion of challenging issues—such as rape culture, consent, gender inequality, and social norms—through funding projects by Ontario artists.

The Select Committee believes that the government's plan to increase awareness of sexual violence and harassment through public education campaigns is a positive step towards shifting social norms, challenging existing behaviour, encouraging bystander intervention, and supporting people who have experienced sexual violence and harassment in coming forward.

Numerous witnesses who appeared before the Committee expressed their support for the government's multi-media campaign #WhoWillYouHelp as a means of creating conversations and educating people about sexual violence and harassment. As noted by Colleges Ontario, "it is . . . a powerful wake-up call to the seriousness and pervasiveness of the problem, and the role of bystanders, which needs to be addressed."

Indeed, bystander intervention programs are a promising approach to sexual violence prevention, as they encourage the community as a whole to take ownership of sexual violence and harassment as a problem. These programs are effectively being delivered in a number of environments, including schools, workplaces, public spaces, and online. For example, the University of Windsor's *Bringing in the Bystander* program teaches students about how to recognize and safely interrupt situations that could lead to sexual assault. Hollaback! Ottawa's bystander intervention campaign *I've got your back* uses an online platform to help bystanders confront harassing and violent public behaviours.

The Committee further heard that public education about sexual violence and harassment is best achieved when provided in a framework that is informed by diverse voices, acknowledges that particular demographics experience sexual assault disproportionately, and recognizes the wide range of offensive sexualized behaviours. For example, the Committee believes that gender-based street harassment—unwanted comments, gestures, or actions directed to a stranger in a public place because of their sex, gender identity, sexual orientation, or gender

expression—is poorly understood and should be targeted in future public awareness campaigns.

The Select Committee acknowledges that the government has launched a \$2.25 million Creative Engagement Fund, which partners Ontario artists and advocates to help prevent sexual violence. This is a constructive step towards engaging a broad audience on this issue and we encourage the government to continue to work towards advancing awareness through creative and diverse means.

While educating the public about sexual violence and harassment may help create change, the Committee believes that the media itself can do more to dispel myths and end rape culture. Survivors told the Committee that news reports detailing the graphic details of crime can invade the privacy of victims, and that the use of words such as “alleged” or “claimed” can set the stage for doubting the survivor’s account. While such terms are necessary for legal reasons when referring to the accused, they are often used in other elements of stories pertaining to sexual violence and harassment. The replacement of these terms with “according to” or “reported” (when not referring to the accused) would be more neutral and typical of the treatment of other crimes, and would not serve to undermine the survivor’s account. Presenters suggested that through sensitive and responsible reporting, the media can help shape conversations and provide a clearer understanding of sexual violence and assault in ways that do not shame or blame survivors.

While the Committee respects the freedom of the press, the continued disparity in the treatment of victims of sexual violence and harassment compared to other crimes like robbery should be acknowledged. Tackling these subtle forms of discrimination must form part of our efforts to challenge all of the unquestioned norms and assumptions of rape culture. The Committee learned that the Toronto-based group Femifesto has developed guidelines—*Reporting on Sexual Assault: A Toolkit for Canadian Media*—that may be useful.

The Committee therefore supports the government’s plan to raise public awareness of sexual violence and harassment, and further recommends that:

3. The Ontario government expand its public education campaigns pertaining to sexual violence and harassment to reach and connect with diverse segments of Ontario’s population, and target a wider range of behaviours, such as street harassment.
4. The Ontario government provide greater support and resources to campaigns that engage men and boys in helping to prevent gender-based violence.
5. Media outlets acknowledge their responsibility in shaping perceptions surrounding sexual violence and harassment and consider developing standards for reporting these incidents, based on the guidelines in Femifesto’s *Reporting on Sexual Assault: A Toolkit for Canadian Media*.

MORE TRAINING FOR PROFESSIONALS

The *It's Never Okay* Action Plan acknowledges that survivors of sexual violence and harassment need a sensitive and appropriate response from service providers, regardless of the venue through which they seek help. The Action Plan therefore promises

- up-to-date training for front-line workers in the health, community services, education, and justice sectors, including training for mental health and addictions professionals in trauma-informed care;
- standardized police training to ensure that police understand victimization and respond in a compassionate and appropriate way to survivors of sexual assault; and
- enhanced education and training for Crown attorneys and police, aimed at the swift and effective prosecution of sexual assault cases, and attention given to the needs of survivors.

The Select Committee is aware that most individuals do not report sexual violence and harassment to the police, and many do not report to health and community service providers. The issue of reporting and disclosure is dealt with more thoroughly in a later section of this document, but when individuals do disclose incidents, the response they receive must be compassionate, trauma-informed, and culturally sensitive. In other words, it must focus on the needs of survivors.

There are many capable and compassionate front-line workers in Ontario. However, the Select Committee believes we can and must do better for individuals who have suffered from sexual violence. The myth that women lie about sexual assaults persists to this day, affecting the sensitivity with which police officers and the legal system address reported incidents. Allegations of acquaintance rape, in particular, may be met with disbelief. The Committee supports a renewed commitment to educating police officers, Crown attorneys, defence lawyers, and judges about the need for a compassionate and just approach to victims of sexual violence. Reflecting the diverse situations in which sexual violence may occur, the Committee believes that training must include components on the complex intersections between different areas of the law, such as immigration, family, and the criminal law.

Health care and social service professionals—often dealing with their own trauma after years of treating people in crisis—must remain sensitive to the fact that sexual violence is an attack on a person's bodily integrity and sexual autonomy. While other crimes may similarly produce a sense of deep violation, sexual assault can be particularly traumatizing. The Committee learned that sexual violence can contribute to depression, anxiety, and substance abuse, and may increase the likelihood of further victimization. Additionally, individuals who experience discrimination because of race, sexuality, abilities, or any other factor may be distrustful of a system that sometimes treats them as though they were invisible. All of these factors may come to bear when an individual reaches out for help. It is therefore essential that front-line workers be appropriately trained and supported in providing an environment where victims can feel safe, regain their sense of control, and become survivors.

The Committee therefore supports the government’s plan to introduce up-to-date training for front-line workers in the health, community services, education, and justice sectors, and further recommends that:

6. The Ontario government develop consistent protocols for front-line workers to respond to sexual violence and harassment, in order to eliminate the influence of preconceived notions, biases, or stereotypes.
7. The Ontario government work with community partners to develop and deliver ongoing sensitivity training for front-line workers that is also informed by awareness of cultural differences and other factors that may lead to discrimination against individuals.
8. The Ontario government facilitate education, training, and the sharing of best practices relating to trauma-informed care for survivors of sexual violence.
9. The Ontario government, in cooperation with health and social service professionals, facilitate the provision of trauma-informed care for front-line workers who experience vicarious trauma.

MORE CHOICES AND BETTER OUTCOMES FOR SURVIVORS THROUGH THE JUSTICE SYSTEM

To strengthen the response of the justice system, the *It’s Never Okay* Action Plan states that the government will

- introduce an enhanced prosecution model for sexual assault cases, including a sexual assault advisory group and mentorship program for Crown attorneys; education, training, and data collection to be sure survivors are experiencing an improved system; and a resource for survivors that explains, among other things, the function of the criminal trial and the right to be safe and treated with civility by all those participating in the proceeding;
- create a pilot program to provide free independent legal advice to sexual assault survivors whose cases are proceeding toward a criminal trial;
- amend the *Limitations Act* to remove the limitation period for any civil sexual assault claim;
- remove the current two-year limitation period for claims of crimes relating to sexual violence brought to the Criminal Injuries Compensation Board under the *Compensation for Victims of Crime Act*;
- develop policing tools to improve the response to sexual violence by law enforcement through a comprehensive review of challenges, opportunities, and best practices for investigators;
- review the *Criminal Code* of Canada provisions and develop recommendations for federal legislative change; and
- continue working with the Law Society of Upper Canada and law schools to ensure all Ontario lawyers uphold their professional

responsibilities as well as Canada's rape shield law, which limits the use of a survivor's previous sexual history as evidence in criminal cases.

Members of the Select Committee were frustrated to learn that even when survivors are reporting and police are laying charges, most cases of sexual assault and related crimes do not progress through the court system and only a small fraction lead to convictions. Witnesses made it clear that our current system is not properly supporting survivors, and is in need of reform. We agree.

Improving the Court Process

Inside the court room, the Committee heard that survivors are still being questioned about their past, still asked about what they were wearing, and still made to feel as though they are at fault. Officers of the Court are too easily getting around Canada's rape shield law, continuing to scrutinize survivors about their sexual history. As myths and stereotypes regarding sexual assault continue within the justice system, scrutiny about what the victim did or did not do—instead of the actions of the accused—often determines the outcome of a case. Organizations appearing before the Committee described how this de-humanizing process, along with a lack of adequate supports, can re-victimize and further traumatize survivors.

The trial process can be daunting and survivors often feel like they are left to navigate the experience by themselves. Crown counsel does not directly represent victims and, despite the fact that the nature of questioning can sometimes make survivors feel like they are the ones on trial, witnesses have no right to legal representation in criminal proceedings. While some survivors may receive information and assistance through the Attorney General's Victim/Witness Assistance Program, the Committee learned that the program does not provide specific legal advice, and may be understaffed and dealing with strained resources.

Additionally, witnesses appearing before the Select Committee explained that psychological and emotional support for survivors is often missing from the trial process. Survivors may be told that they cannot bring support people to court with them; some are even cautioned not to receive counselling out of fear of having their counsellor's notes used against them as evidence. While a judge may order a number of testimonial accommodations for witnesses—including allowing the witness to have a support person present and close to the witness while testifying and allowing the witness to testify from outside the court room or behind a screen—these accommodations are not automatically granted and many survivors do not even know they exist.

In its Action Plan the government recognizes the problems survivors face in trying to access and navigate the justice system and has called for change. It argues that "survivors of sexual assault should feel safe coming forward to police and deserve a swift and dignified response from the justice system." We agree. Our justice system needs to hold perpetrators accountable and foster the belief that there will be consequences for people who commit these crimes. Survivors must feel safe and supported when proceeding through the court system; civility and compassion for survivors should be at the forefront of proceedings. When

sexual assault victims fear pursuing justice against their perpetrator because of how they will be treated by the system, we know that something is broken.

The Committee affirms the government's commitment to provide greater training and mentorship to Crown attorneys as well as its plan to create a pilot program to provide free legal advice to sexual assault survivors. Increased training, education, and support are key actions towards improving our justice system.

The Committee also supports Bill 132's proposed amendments to the *Limitations Act* to remove the limitation period for any civil sexual assault claim. Presenters told the Committee about the difficulty survivors continue to face in accessing justice and obtaining compensation through the civil system. We therefore encourage the province to look for additional ways for making the civil justice system more accessible. The creation of an online filing service, similar to what is currently in place in Ontario's small claims courts, was one suggestion the Committee heard for making the initiation of civil actions more convenient.

The Committee believes, however, that more needs to be done to address the emotional and psychological needs of survivors during the trial process. Greater use of testimonial accommodations may be a helpful start. For example, presenters who appeared before the Committee explained that trauma dogs are increasingly being used in some courts in Canada to help support young people while giving testimony, and suggested that their use be expanded.

Moreover, in recognition of the diversity across the province, the Select Committee urges the government to ensure that its enhanced prosecution model affirms the right to have court processes and services available in multiple languages.

The Committee therefore supports the government's plan to improve the experience of survivors within the court system, and further recommends that:

10. All members of the court system, including judges, defence attorneys, and Crown attorneys, receive training on the realities of sexual violence and harassment and how sex-related crimes impact victims.
11. The Ontario government expand the availability of alternative forms of justice for crimes of a sexual nature, such as restorative justice systems or specialized survivor-centred sexual violence courts.
12. The Ministry of the Attorney General ensure that survivors are aware of their right to ask for testimonial accommodations and that they be made available when it would facilitate the giving of a full and candid account by the witness or would otherwise be in the interest of the proper administration of justice.
13. The Ontario government explore creating a program where sexual assault survivors are assigned a non-legal advocate to assist them throughout the entire court process, providing them with information, advice, and emotional support.

14. The Ontario government explore the creation of a community-based Centre of Excellence in Sexual Violence Response to provide direct representation to victims, offer survivors information about their legal rights, educate the criminal bar and bench about issues relating to sexual violence, and deliver an accountability mechanism to measure improvements and outcomes.
15. The Ontario government explore ways to make the civil justice system more accessible to survivors of sexual violence by, for example, facilitating online claims.

Better Policing Tools

The Committee agrees with the Action Plan that better policing tools are needed to improve the response to sexual violence by law enforcement. The Committee heard a number of concerns with respect to the current procedures for responding to and investigating incidents of sexual violence. Community agencies told the Committee that police are not always submitting sexual assault evidence kits to the Centre of Forensic Science for analysis, which may inhibit investigations into repeat sex offenders. The Committee also learned about the sexual violence that can occur within police and military organizations and the need for an independent agency to deal with complaints from individuals who have been sexually assaulted by colleagues or superiors.

The Committee also agrees that best practices should be reviewed when developing an enhanced policing system. The Committee heard about the model developed in Philadelphia where police forces work with local advocacy and support organizations to track the treatment of sexual assault cases by police. On an annual basis, advocates examine all closed sexual assault case files, with particular focus on the thoroughness and documentation of investigations and the coding of crimes. The model was developed in response to an investigation that revealed that the Philadelphia Police Department had, for a number of years, wrongfully coded hundreds of sex crime complaints as “unfounded.” By allowing an annual case review by advocates, the Philadelphia model is now considered by many as the “gold standard” in sexual assault policing.

The Committee therefore supports the government’s plan to improve the response to sexual violence by law enforcement, and further recommends that:

16. Consistent procedural standards be adopted by police forces with respect to the submission of sexual assault evidence kits to the Centre of Forensic Sciences for analysis.
17. The Ministry of Community Safety and Correctional Services work with local police services to develop standards for responding to reports of sexual violence, including exploring the possibility of offering to have female officers or social workers present to take victim statements, or encouraging every police force to have specialized police units or investigators to oversee sexual assault investigations.

18. The Ontario government ensure that an independent review and investigation process be available to deal with sexual violence and harassment that occurs within law enforcement organizations.
19. The federal government appropriately address and work to remedy the culture of sexual violence that continues within Canada's military.
20. The Ontario government look at best practices when developing an enhanced policing system, and consider implementing a process similar to the Philadelphia model to track the treatment of sexual assault cases by police.

Compensating and Assisting Victims of Sexual Assault

Improving the justice system's response to survivors of sexual assault necessitates looking at how the province assists survivors in the aftermath of a sex-related crime. Removing the limitation period for claims of crimes relating to sexual violence brought to the Criminal Injuries Compensation Board under the *Compensation for Victims of Crime Act* was just one of many recommendations witnesses proposed to the Committee to improve assistance for survivors.

The Committee also learned that the restrictions on what victims of sexual assault who are receiving benefits under certain government assistance programs, such as Ontario Disability Support Program or Ontario Works, can retain from any compensation awards issued by the Criminal Injuries Compensation Board raises access to justice issues. The Committee believes that receipt of such awards should not affect a recipient's ongoing eligibility for social assistance or result in a clawback of social assistance benefits.

The Committee therefore supports the government's plan to facilitate claims to the Criminal Injuries Compensation Board, and further recommends that:

21. Payments received under the *Compensation for Victims of Crime Act* and compensation related to claims of sexual assault are added to the list of asset and income exemptions used when calculating government assistance benefit eligibility.
22. The Ontario government initiate a review of legislation pertaining to victims' rights, with a view to modernizing the system and making it more responsive to survivors.

SEEDING GENERATIONAL CHANGE

To seed generational change and teach young people about respectful behaviours, the *It's Never Okay* Action Plan states that the government is bringing these ideas to schools and classrooms by

- updating the Health and Physical Education curriculum to help students to develop an understanding of the root causes of gender inequality, and—from a very early stage—understand healthy relationships and consent;

- ensuring that all students learn concepts, in age-appropriate ways, that will address such issues as physical and emotional well-being, mental health, online safety, sexual orientation, equity, and inclusion;
- developing resources to help teachers implement the new curriculum, and help parents support their child's learning;
- creating activities and resources to raise student awareness in an engaging way; and
- giving students the opportunity to lead projects and research that support healthy relationships and safe, inclusive school environments.

A general theme heard throughout the Select Committee's hearings was that sexual violence and harassment should be addressed in a more coordinated fashion. Numerous organizations argued that a comprehensive, primary prevention education strategy is needed—one that targets adults, youth, and children and is taught in a variety of environments. As a first step, many presenters expressed their support for the Province's updated Health and Physical Education curriculum as a prevention tool. As noted by Guelph-Wellington Women in Crisis, "the move to integrate information on sexual consent and healthy relationships and online sexual activity into the school curriculum is much needed and greatly supported."

The Committee believes that public education contributes to creating a climate where survivors are actually safe to disclose their experiences without being shamed, blamed, and doubted. It promotes a focus on the prevention of sexual assault, as opposed to catching and imprisoning offenders. While the Committee supports the Province's move to help students develop a greater understanding of healthy relationships and consent, we urge the government to consider ways of expanding public education on these issues. Changes to behaviour and attitudes will take time. We need to ensure that education that promotes healthy relationships and gender equality is on-going, provided to adults as well as children, and delivered in a variety of environments, including community centres, workplaces, campuses, and through online or mobile platforms.

For example, the Committee learned about the YWCA's Safety Siren smart phone app, an innovative prevention and intervention tool which, among other functions, offers a wide range of facts and information about women's health and wellness, particularly focused on dating and social interactions. The Committee also heard about Taylor the Turtle, a collaborative community-based sexual abuse prevention program created by the Sexual Assault Centre of Brant that increases children's self-confidence and body awareness through art, role-playing, games, and storytelling. Instead of emphasizing potentially frightening scenarios like good touch/bad touch and "stranger danger," this program aims to help children feel more connected to their bodies so that when something doesn't feel okay, they know that they have the right to talk to someone about it.

Public education must target diverse groups in Ontario with the recognition that sexual violence and harassment may disproportionately affect certain groups more than others and in different ways. Moreover, the Committee believes that men and boys must be included in strategies to end sexual violence and harassment. By engaging young men and encouraging them to take an active

role, we can challenge stereotypes of masculinity and help prevent gender-based violence. Projects such as ManUp, a campaign started by a group of young men at Ottawa's Longfields-Davidson Heights School that encourages men and boys to take a stand against violence against women, should be recognized and supported.

The Committee recognizes that media literacy is currently part of Ontario's public elementary and secondary school curricula, which explores the impact and influence of mass media and popular culture and encourages students to think critically about, among other things, discriminatory portrayals of individuals and groups. With the prevalence of sexualized images in mass media, we encourage the government to ensure these programs adequately educate students on how these images can influence concepts of masculinity/femininity and sexuality, perpetuate misogyny, and contribute to rape culture.

The Committee therefore supports the government's plan to seed generational change, and further recommends that:

23. The Ontario government expand public education on matters related to sexual violence and harassment, ensuring that prevention strategies are on-going and relevant to a broad audience.
24. Greater support be provided to both community- and school-based education programs that work to challenge myths and misconceptions about sexuality and masculinity/femininity, and teach both youth and adults about healthy relationships, consent, and respect.

Protecting Youth and Educating Adults

The Committee agrees with the Action Plan that it is important that young people learn appropriate behaviours at an early age. However, while most people are aware of the risk of sexual abuse that some adults present to children, what is less often understood is that child sexual abuse can be perpetrated by other children and adolescents. These behaviours, the Committee learned, are different from bullying and can include making threats to get others to expose themselves, engaging in chronic peeping, simulating intercourse with dolls or peers, and engaging in inappropriate touching.

The Committee believes that it is essential that all people who interact with children are able to recognize potentially harmful activities at an early stage and know how to respond. Schools must be properly equipped with practical policies and systems for preventing and responding to inappropriate sexual behaviour and abuse perpetrated by students. These systems must not only address problem sexual behaviour in a practical and preventative manner, but must also work to empower survivors and assist them in ways that best suit their needs.

The Committee further encourages the government to look for more ways to educate adults on issues related to sexual violence and abuse. Presenters who appeared before the Committee suggested a number of avenues for ongoing education. For example, while children are repeatedly reminded to respect adults, adults must also be educated to respect children. Child advocacy centres recommended that all organizations that work with children, such as sports

teams, scouts, and youth camps, implement child protection policies that include, among other things, sexual abuse prevention and response training for staff and volunteers.

Further avenues for education may revolve around the role drugs and alcohol can play in sexual assaults. Some perpetrators, the Committee learned, use these substances to compromise an individual's ability to consent to sexual activity. Moreover, studies have shown that increased sexual aggression may be associated with intoxication and that aggressive behaviours related to sexual overtures are common in drinking establishments.¹⁰

Unfortunately, when drugs or alcohol are involved, perpetrators are more likely to be excused for their behaviour and victims are often made to feel at fault. Education about the association of drugs and alcohol and sexual assault must combat the social norms that accept these behaviours and attitudes, and encourage bystanders to appropriately intervene.

The Committee therefore recommends that:

25. When responding to an incident of sexual abuse or assault that occurs on school property, schools ensure sensitivity to the individual needs of survivors.
26. All community-based organizations that work with children ensure that staff and volunteers understand their roles and responsibilities related to sexual abuse prevention and response.
27. Sexual assault awareness be included as part of the Smart Serve training for individuals who serve alcohol.

¹⁰ Kathryn Graham et al., "Blurred Lines?": Sexual Aggression and Barroom Culture," *Alcoholism: Clinical And Experimental Research* 38(5) (May 2014): 1416-24; Kathryn Graham et al., "Young women's risk of sexual aggression in bars: The roles of intoxication and peer social status," *Drug and Alcohol Review* 33 (July 2014): 393-400; and Kathryn Graham et al., "Yes, I do but not with you': Qualitative analyses of sexual/romantic overture-related aggression in bars and clubs," *Contemporary Drug Problems* 37 (Summer 2010): 197-240.

SAFER WORKPLACES

To create safer workplaces, free from sexual violence and harassment, the *It's Never Okay* Action Plan states that the government will

- introduce legislation to strengthen the *Occupational Health and Safety Act* to include a definition of sexual harassment, set out explicit requirements for employers to investigate and address workplace sexual harassment, and include an obligation for employers to make every reasonable effort to protect workers from sexual harassment;
- create a new Code of Conduct for employers under the Act that will describe steps employers can take to comply with the law and assist employers in making their workplaces safer;
- establish a special enforcement team of inspectors trained to address complaints of workplace harassment and enforce the Act's harassment provisions across the province; and
- develop educational materials to help employers create a safer workplace, free of harassment.

Ontarians deserve the right to work in a healthy and safe work environment. As the Select Committee heard, however, workplace sexual violence and harassment continues to persist, causing devastating physical and psychological effects for many workers. Witnesses who appeared before the Committee argued that more needs to be done to prevent all unwanted sexualised behaviours—from sexual comments to touching to sexual assault—from occurring in Ontario workplaces. We agree, and are pleased to see the government taking steps to ensure all Ontario workplaces are free of sexual violence and harassment.

During its hearings, Committee members learned about the persistent inadequacies in training provided to some employees about workplace sexual violence and harassment, and on their rights and recourses under workplace legislation and policies. While under the *Occupational Health and Safety Act* (OHSA) employers have the duty to create policies and programs with respect to workplace violence and harassment, the Committee learned that there are no measures in place to assess their quality or ensure that they adequately address the issue. Moreover, presenters told the Committee that when an incident does occur, many workers still hesitate to come forward and report the behaviour for a number of reasons, including fear of losing their job, lack of information about reporting, language barriers, and the absence of an external, third party reporting mechanism.

The Committee also heard a number of opinions with respect to investigations of complaints of workplace violence and harassment, and the enforcement of the OHSA's violence and harassment provisions. Under the Act, employers are responsible for investigating and dealing with incidents of workplace violence and harassment. The Ministry of Labour's involvement is limited solely to enforcing the statutory requirements that the employer have policies in place. Inspectors do not have the authority to resolve or mediate specific allegations of violence or harassment. What was made abundantly clear during the Committee's hearings was that greater oversight and accountability is needed to ensure that employers

are applying their policies, investigating and resolving complaints, and ensuring the safety of all workers.

Bill 132 proposes to strengthen the violence and harassment provisions under the OHSA by, among other things, including a specific definition of sexual harassment, enhancing the requirements for workplace harassment programs to include additional elements regarding the reporting and investigation of incidents, placing an obligation on employers to investigate complaints of workplace harassment, and creating the authority for an inspector to order an employer to cause an investigation to be conducted by an impartial third party.

These amendments, along with the government's promise to create a special enforcement team of inspectors and a new Code of Practice to help employers comply with the law, may help to resolve some of the problems the Committee heard. But for these actions to truly be effective, the Committee believes that Ministry of Labour inspectors may need more resources and authority to adequately ensure legislative compliance. Additionally, the publication of templates and best practice documents for creating policies and programs may assist employers in ensuring that they adequately address issues surrounding workplace sexual violence and harassment.

The Committee therefore supports the government's plan to create safer workplaces, and further recommends that:

28. The Ministry of Labour provide greater resources and tools to help employers train and educate employees on workplace sexual violence and harassment, focusing on creating a greater awareness of employees' rights, available resources, and recourse options.
29. Templates and best practice documents on creating violence and harassment policies and programs be developed by the Ministry of Labour, with a specific component on sexual violence and sexual harassment.
30. Ministry of Labour inspectors conduct regular, proactive inspections of workplaces to ensure workplace parties are complying with the violence and harassment requirements in the OHSA.
31. The Ministry of Labour be given the resources to adequately address issues of sexual violence and harassment in the workplace, including hiring more inspectors to enforce the OHSA's violence and harassment requirements.
32. The Ontario government amend the OHSA to provide an explicit definition of "sexual violence."
33. The Ontario government amend the OHSA to provide a clear indication that reprisal protections extend to workplace harassment complaints.

Protecting All Workers

Workers may face sexual violence and harassment in any workplace and from any person in that workplace. The Committee acknowledges, however, that workplace sexual violence and harassment may affect certain workers more than others and in different ways. For example, the Committee heard that people with disabilities may face an increased risk of being sexually harassed in the workplace due to their actual and perceived vulnerabilities and their legacy of being devalued in society.

Certain types of work and working conditions may also place employees at a greater risk of sexual violence and harassment, including working alone or late at night, working in the hospitality or health care sectors, insecure or temporary employment, and working in male-dominated workplaces. While the Committee was pleased to see in the Action Plan that the government plans to provide enhanced training to workers in the hospitality sector on how to safely intervene if they witness sexual violence or people at risk, the Committee believes that all workers who may be especially vulnerable to abuse need enhanced training on this issue.

Moreover, the Committee learned that domestic or intimate partner violence is a significant workplace problem. Studies conducted by the Centre for Research and Education on Violence Against Women in collaboration with the Canadian Labour Congress show that there is a link between economic independence, being in paid employment, and the impact of domestic violence.¹¹ Women who have a history of domestic violence have a more disrupted work history, have to change jobs more often, and are more likely to work in casual and part time roles than women without violent experiences. Abuse at home often follows its victims to work, most commonly manifesting through abusive phone calls and stalking or harassment near the workplace. While the OHSA requires an employer to “take every precaution reasonable in the circumstances” to protect employees from domestic violence in the workplace, the Committee believes the Act could be strengthened to create a better awareness of the problem and encourage workplace parties to provide appropriate support.

For an employee who has suffered a psychological injury as a result of workplace sexual harassment, the Committee learned that workers’ compensation benefits are restricted. While the *Workplace Safety and Insurance Act* recognizes entitlement for traumatic mental stress injuries, this is limited to situations where there is “an acute reaction to a sudden and unexpected traumatic event.” This provision, along with the Workplace Safety and Insurance Board’s policy on adjudicating this type of claim, acts to prohibit claims of chronic harassment, including sexual harassment.

¹¹ Centre for Research & Education on Violence Against Women & Children, Canadian Labour Congress, and Western University’s Faculty of Information & Media Studies, *Can Work be Safe, When Home Isn’t? Initial Findings of a Pan-Canadian Survey on Domestic Violence and the Workplace*, November 2014.

The Committee therefore recommends that:

34. The Ontario government extend the increased training that will be provided to hospitality workers under the Action Plan to other employees who may face a greater risk of workplace sexual violence or harassment.
35. The Ontario government amend the OHS Act to make education about domestic or intimate partner violence in the workplace mandatory for managers, supervisors, and workers.
36. The Ontario government consider amending the *Workplace Safety and Insurance Act* to allow workers who suffer psychological injuries as a result of workplace sexual harassment to receive compensation.

SAFER CAMPUSES

To create safer university and college campuses free from sexual violence and harassment, the *It's Never Okay* Action Plan states that the government will

- introduce legislation to require colleges and universities to adopt a sexual assault policy, developed with significant input from students, and renewed—with student involvement—every four years;
- ensure each campus has clearly stated complaint procedures and response protocols, effective training and prevention programs, and services and supports for survivors available 24/7;
- require universities and college to report publicly on incidence of sexual violence, as well as initiatives underway to address sexual violence and harassment, and their effectiveness;
- support initiatives by colleges and universities to reduce sexual violence and harassment, and ensure safe campuses; and
- make sure all students have information about preventing sexual violence and harassment and are informed of resources and supports, starting with their first week of orientation and continuing throughout the years, for students in all years of study.

The Select Committee recognizes that post-secondary students experience a disproportionate number of sexual assaults compared to the Ontario average. While campuses in Ontario are places where students are presented with meaningful and positive opportunities, they are, unfortunately, also places where students must navigate a culture that often condones or excuses sexual violence. As well, when an incident does occur, resources, support, and trained professional help on campus may not always be readily available.

In recent years, students and administrators have been working to improve this issue and, as the Committee heard, are making strides towards providing students with a safe and harassment-free experience. Colleges Ontario has created a uniform Sexual Assault and Sexual Violence Policy and Protocol that is

being implemented in all colleges across Ontario. As well, all universities in the province have committed to reviewing their policies, procedures, and practices related to sexual assault and are ensuring that their policies are made easily accessible on their websites. Presenters appearing before the Committee specifically praised Lakehead University for its recently implemented stand-alone Sexual Misconduct Policy and Protocol and policy development process.

Many universities and colleges, the Committee was informed, are also looking at how to increase supports on campus. Some universities have created a 24-hour crisis line, often in partnership with community-based resources. Others have safe-walk programs, foot patrols, and even safety applications for smart phones. All universities and colleges offer on-campus counselling, and many partner with community organizations to provide additional support off-campus. Colleges across Ontario are looking for ways to make counselling and helpline services available to students 24/7.

Greater awareness-building about sexual violence and available support services was highlighted as an area in need of attention. Student organizations recommended that training and education be provided to students in a variety of contexts, ensuring that it is provided to students during orientation week as well as throughout the year. Staff, faculty, and administrators, the Committee heard, must also be trained to provide appropriate support and information to students.

The Committee recognizes that many universities and colleges in Ontario are working toward these goals. The University of Guelph, for example, provides mandatory training to students about the meaning of consent during orientation week. In Francophone areas of the province, some French-language sexual assault centres (CALACS, in French) have partnered with colleges and universities to deliver training workshops to students and staff on sexual assault awareness and prevention.¹² CALACS francophone d'Ottawa is additionally offering direct support services to students and staff at the University of Ottawa both on and off campus.

The Committee supports Bill 132's proposed amendments to the *Ministry of Training, Colleges and Universities Act* and *Private Career Colleges Act, 2005* that would require all colleges and universities to adopt a stand-alone sexual assault policy, developed with significant input from students. The Committee agrees that these policies must clearly set out the process for how colleges and universities will respond to and address incidents and complaints of sexual violence on campus. To ensure the proposed amendments are truly effective and that these policies and procedures adequately address the needs of students, the Committee believes that greater oversight must be provided by the Ministry of Training, Colleges and Universities.

Moreover, requiring colleges and universities to submit to the government data relating to sexual violence on campus may help create an accurate picture of the problem and generate discussion on prevention strategies. Presenters appearing before the Committee highlighted Ryerson University as a leader in the collection and disclosure of data, and recommended that all institutions publicly report their data on incidents of sexual assault on campus. In addition to reporting, however, we believe that best practices for addressing this problem must continually be shared among institutions.

¹² CALACS stands for Centres d'aide et de lutte contre les agressions à caractère sexuel.

Finally, during its hearings the Committee heard about the institutionalized nature of sexual violence and harassment at the Royal Military College in Kingston, an Ontario-based institution. While it is beyond the jurisdiction of the Province to address this issue, the Committee urges the federal government to look into ways to challenge the norms that accept these behaviours, and ensure the safety of all students at the Royal Military College.

The Committee therefore supports the government’s plan to create safer campuses, and further recommends that:

37. The Ministry of Training, Colleges and Universities implement criteria for sexual assault policies at colleges and universities, based on the Ontario Women’s Directorate’s guide on sexual assault prevention on campuses, *Developing a Response to Sexual Violence: A Resource Guide for Ontario’s Colleges and Universities* (2013).
38. The Ontario government increase its oversight capabilities over college and university complaint procedures and response protocols pertaining to sexual violence and harassment.
39. All colleges and universities report on an annual basis to their Boards of Governors data on incidents of sexual violence, initiatives they have taken to address sexual violence and harassment, and information on their effectiveness, and that the Boards make the reports public after review.
40. The Ontario government facilitate the exchange of ideas and best practices among post-secondary institutions with respect to responding to and preventing sexual violence and harassment on campus.
41. All colleges and universities work with community-based sexual assault organizations to provide greater support options to students.

MORE HELP AND BETTER SUPPORTS FOR SURVIVORS IN THE COMMUNITY

The *It’s Never Okay* Action Plan recognizes that survivors of sexual violence need help from multiple sources in the community, and promises that the government will

- boost funding and increase services at Ontario’s 35 hospital-based Sexual Assault/Domestic Violence Treatment Centres, in order to maintain 24/7 access to excellent, appropriate, and timely care;
- enable Ontario’s 42 sexual assault centres to help more people through increased and stable funding;
- ensure that counselling services and help lines that currently exist across several sectors are coordinated and integrated;
- introduce an Innovation Fund to test new service-delivery approaches based on best practices, such as community “hub”

models; and

- amend the *Residential Tenancies Act* to allow tenants who are fleeing sexual or domestic violence to break their lease with less than 60 days' notice.

Much of the testimony received by the Select Committee on sexual violence and harassment pertained to the support services available for survivors in their communities. Witnesses made it clear that these services are an essential component of Ontario's response to sexual violence and harassment, and that access must be generally improved.

Survivor-Centred Primary and Emergency Care

One of the first places that many people seek care following an incident of sexual violence is the emergency room of their local hospital. Thirty-five of Ontario's 145 public hospitals are funded as Sexual Assault/Domestic Violence Treatment Centres (SA/DVTCs). These centres, staffed by nurses, provide 24-hour care to women, children, and men who have been sexually assaulted or who have experienced intimate partner violence. Services include emergency medical care, crisis intervention and counselling, the collection of forensic evidence, and referral to other community supports. The Waterloo Region SA/DVTC employs an on-call social worker. Many, but not all, of the remaining hospitals in the province carry sexual assault evidence kits, used to collect samples that can assist in the investigation of a sexual assault and any subsequent legal proceedings.

Witnesses appearing before the Select Committee requested increased access to the services offered by the SA/DVTCs, either through the creation of new centres or the provision of additional and stable funding for the existing ones. Some of the centres are only able to offer six hours of counselling, which survivors said was inadequate. The Committee was informed that people living in some areas of the province have to travel considerable distance—sometimes in the back of a police car—to reach an SA/DVTC or a hospital that is equipped to use a sexual assault evidence kit. When individuals are in crisis, such a journey can be particularly traumatic and represents a barrier to obtaining care.

Nurses also reported that the SA/DVTCs have to compete for funding with other hospital departments. As a consequence, some centres are no longer offering 24-hour care, and have cut their budgets for training, outreach, and follow-up care. The on-call staffing model used by some SA/DVTCs also contributes to high turnover and workplace stress. Nurses working in rural and remote areas can have particular difficulty acquiring the necessary training to collect forensic evidence and maintaining their competency afterwards, whether they are based in an SA/DVTC or in a local hospital. If this evidence is not meticulously collected and documented, the Select Committee learned that it could be discarded or challenged by defence lawyers.

The Select Committee also received testimony about the troubling issue of the sexual abuse of patients by health-care professionals. Members of the public are sometimes not appropriately informed about the procedure for complaining to a health professional's regulatory college, and the Committee is aware of cases where the process was unclear. The Committee was also informed that some

personal support workers, a profession that is not regulated by a college, may not receive background checks before visiting clients in their homes.

In August 2015 the Ontario government announced \$1.1 million in annual new funding for the next three years for the SA/DVTCs, as part of its commitments under *It's Never Okay*. Approximately \$900,000 of the funding is to enhance the counselling services provided by the centres, while the remaining \$200,000 will be used to develop a province-wide community outreach program. The government is also taking steps to ensure that the standards of care for the SA/DVTCs are being met by enhancing performance reporting mechanisms, and will monitor results to ensure that the new investments are making a difference in the lives of those affected by sexual violence.

The Select Committee acknowledges the renewed support for the important work carried out by the SA/DVTCs, and wants to ensure that this new funding will adequately address the concerns expressed by witnesses appearing during its hearings.

The Select Committee therefore acknowledges the government's recent increase in funding for Ontario's 35 hospital-based Sexual Assault/Domestic Violence Treatment Centres, and further recommends that:

42. The Ontario government ensure that the funding for Ontario's hospital-based SA/DVTCs is ongoing and stable.
43. The Ontario government ensure that the SA/DVTCs provide 24-hour care, and that survivors are able to obtain the necessary hours of counselling, based on their needs.
44. The Ontario government ensure that individuals living in rural and remote areas of the province have equal access to the SA/DVTCs or to hospitals equipped with and appropriately trained to use sexual assault evidence kits.
45. The Ministry of Health and Long-Term Care, in collaboration with the province's SA/DVTCs, make education and ongoing training available to all hospital staff involved in the treatment of persons who have been sexually assaulted, including in rural and remote areas of the province.
46. Ontario's SA/DVTCs consider employing a social worker or partnering with community organizations to provide additional support to survivors.
47. Ontario's SA/DVTCs consider an alternative to the on-call pay model for their nurses.

Survivor-Centred Counselling and Psychological Services

The Select Committee recognizes that many survivors do not go to the hospital following an incident of sexual violence. Some individuals may take months or even years before they seek assistance, while more marginalized members of society may find hospitals threatening. Ontario's 42 sexual assault centres

(SACs), also known as rape crisis centres, are an important source of counselling for survivors of sexual violence aged 16 and over. The SACs also engage in significant education, outreach, and prevention work.

The Committee received requests from across the province to increase and stabilize the funding provided to the SACs and to expand their availability in rural and remote areas, as well as in regions with significant Francophone populations. We also heard from a number of witnesses arguing that there should be more support for male victims of sexual violence. Adequate services for perpetrators are also essential, as they are often victims of earlier trauma, and society needs to address the root causes of sexual violence in order to reduce its incidence. Witnesses expressed a general desire for improved access to all forms of counselling, including psychological services, as waiting lists, fees, and limitations on the number of sessions are presently barriers to appropriate care. The Committee heard about a number of innovative projects, such as the Sioux Lookout Meno Ya Win Health Centre's Photovoice, which encourages survivors of sexual assault to take photographs to help them to express their feelings and experiences.

Witnesses informed the Committee that access to peer-support programs could also be improved, as these may be particularly helpful for survivors. For example, Opening the Circle is an innovative project hosted by the Sexual Assault Centre London that brings together people impacted by sexual abuse or violence to build community and create useful tools that can help others now and in the future.

The Select Committee also learned that the complexity of the community support system can make it difficult to navigate. In addition to the SA/DVTCs and the SACs, there are victim support services, shelters, child and youth advocacy centres, and women's centres, among others. Furthermore, different ministries (and multiple levels of government) provide funding to many of these services, contributing to the confusion. The different programs for domestic violence and sexual assault may not reflect the experience of survivors who have faced both of these facets of violence against women in the same relationship. Witnesses appearing before the Select Committee asked that providers work more closely together to provide a seamless experience for clients. Child and youth advocacy centres such as Boost (with offices in Toronto, Barrie, and Peterborough), were upheld as a best practice model, as they collocate a team of professionals including police, Crown attorneys, medical and mental health support, and advocacy services in one facility.

Finally, the Select Committee acknowledges that poverty, unemployment, and a lack of housing place individuals at greater risk of sexual violence. The Committee learned that LGBTQ individuals may have specific needs that are not met in the current shelter system. An alternative may also be required for women who want to leave the sex trade. The Committee heard that sex trade workers are particularly vulnerable to sexual violence due, in part, to the attitude held by some that it is not possible for sex workers to be sexually assaulted. Shelters, while often the only place women who want to leave this industry can go, do not provide adequate protection and support. Long-term housing, counselling, and job opportunities, the Committee heard, are needed to help these women find a way out.

While it is beyond the scope of the Committee to adequately address these issues, we recognize that a more equitable society would provide better protection to all of its members. A continued commitment to tackling poverty and increasing housing options could help to reduce sexual violence and harassment and offer survivors greater support.

In September 2015 the Ontario government announced a \$1.75 million annual increase in the base funding for the SACs, another aspect of its commitments under *It's Never Okay*. The Select Committee recognizes that this new funding is an important step in the improvement of services for survivors of sexual violence.

In October 2015 the Ontario government introduced a new \$3 million Innovation Fund, a further initiative under *It's Never Okay*. The Fund will be used to test new or innovative approaches to support survivors of sexual violence and harassment and build a body of evidence about what works to improve service delivery outcomes. More specifically, the Fund's objectives are to improve outreach to survivors and provide more timely and effective supports; build the capacity of organizations to better meet local needs; and pilot evidence-based programs or approaches that demonstrate improved outcomes for survivors. For example, new service delivery approaches known as community "hubs," where multiple services are available under one roof, are now being piloted in several locations around the province.

Finally, the Committee recognizes that the proposed amendment to the *Residential Tenancies Act, 2006* would be a simple way to allow individuals to leave dangerous situations as quickly as possible.

The Select Committee therefore endorses the government's recent increase in funding for Ontario's 42 community-based sexual assault centres, and the introduction of the new Innovation Fund, and further recommends that:

48. The Ontario government ensure that the funding provided to the sexual assault centres is stable and secure, so that they can provide a full range of services including counselling, crisis lines, outreach, and education.
49. The Ontario government ensure that sexual violence and domestic violence continue to be addressed as two aspects of the same problem by Ontario's permanent Roundtable on Violence Against Women.
50. The Ontario government earmark capital funds for social services infrastructure related to violence against women, including shelters.
51. Following the completion and evaluation of the pilot program, the Ontario government consider expanding the Community Hub model initiative in order to better integrate services and promote the efficient use of resources dedicated to violence against women.
52. The Ontario government explore the integration and coordination of sexual violence and domestic violence funding and services

across ministries in order to support integration and coordination at the community level.

53. The Ontario government improve access to peer-support programs for survivors of sexual violence and harassment.
54. The Ontario government ensure that individuals living in rural and remote areas of the province have adequate access to community support pertaining to sexual violence and harassment.
55. The Ontario government ensure that services for male survivors of sexual violence are improved, and given adequate and stable funding.
56. The Ontario government ensure that treatment services for perpetrators of sexual violence are evidence-based and adequately funded.

ADDITIONAL TOPICS OF SIGNIFICANCE FOR THE SELECT COMMITTEE

The remainder of this report discusses three additional topics of significance for the Select Committee: human trafficking, the reporting of sexual violence and harassment, and listening to diverse voices.

Human Trafficking

Although often hidden, the Select Committee recognizes that human trafficking is a significant problem in Ontario. Victims, mostly women and children, are deprived of their normal lives and forced to provide labour or sexual services, through a variety of coercive practices, all for the direct profit of their traffickers. Globally, it is estimated that human trafficking is amongst the most lucrative of criminal activities, generating billions of dollars annually for criminal organizations.¹³

While human trafficking is commonly associated with foreign victims crossing international borders, recent charges and convictions indicate that the vast majority of victims in Canada (over 90%) are trafficked domestically (i.e., all stages of the trafficking occur within Canadian borders).¹⁴ Human trafficking for the purpose of sexual exploitation has been found to be the most common form of trafficking in Canada, with Ontario functioning as a major “hub.”¹⁵ In these cases, traffickers force victims to provide sexual services to customers, usually in exchange for money.

Presenters appearing before the Committee explained that traffickers use a variety of strategies to recruit individuals, often through the Internet and by individuals posing as their peers. The “boyfriend effect,” the Committee heard, makes it less likely that the victim will report. Some may not even view

¹³ International Labour Office, *A Global Alliance Against Forced Labour*, 2005, p. 55.

¹⁴ RCMP, *Human Trafficking in Canada: A Threat Assessment*, March 2010, p. 8; RCMP, *Domestic Human Trafficking for Sexual Exploitation*, October 2013, pp. 3 and 5; Public Safety Canada, *National Action Plan to Combat Human Trafficking*, 2012.

¹⁵ RCMP, *Domestic Human Trafficking*, p. 2.

themselves as victims, or see little value or nothing to gain in going to the police. Foreign victims who have been trafficked may be obstructed from seeking help due to language or cultural barriers.

Unfortunately, human trafficking continues to be poorly understood in Canada. Front-line workers may not recognize the signs of human trafficking, or respond appropriately. Detailed federal and provincial statistics on this crime are scarce and often vary due to the lack of clarity around the issue. The Committee acknowledges the hard work being done by law enforcement to eliminate human trafficking, and recognizes that more work is still needed. Greater awareness of human trafficking, as well as a more coordinated response from law enforcement and support services, may help to combat this form of modern day slavery.

The Select Committee therefore recommends that:

57. The Ontario government provide resources for the development of a coordinated approach to help victims of human trafficking, allowing providers of support services and the criminal justice system to share information and work collaboratively.
58. The Ontario government develop a multi-ministerial, province-wide strategy on human trafficking.

Reporting and Disclosure

The Select Committee was specifically mandated to consider ways to shift social norms and other barriers preventing people from reporting sexual violence and harassment. Only one in 10 incidents of sexual assault in Canada is reported to the police.¹⁶ Unlike robbery, for example, where almost half of cases are reported, victims of sexual assault face unique hurdles that discourage them from disclosing these crimes. The Committee received testimony about many of these hurdles, including a lack of clarity about what constitutes sexual assault, fear of humiliating questioning at the hands of authority figures, fear of possible deportation for immigrant women, and an awareness that very few sexual offences result in criminal convictions. Recent events have shown that dozens of women must come forward before offences committed by well-known or powerful individuals are taken seriously. Many survivors simply suffer in silence.

All survivors want their allegations to be dealt with respectfully, thoroughly, and fairly. The Committee's recommendations pertaining to improved training for first responders, lawyers, and judges appeared earlier in this report. Women presenting before the Committee also made it clear that they want alternatives to reporting. Some survivors would avoid the criminal justice system even if it were to become more responsive to their concerns. These individuals might benefit from less adversarial forms of justice, such as restorative justice, also discussed in greater detail earlier in this document.

Nevertheless, individuals appearing before the Committee were adamant that more emphasis must be placed on prevention, education, and community support. All survivors need improved access to counselling, victims' services, and other forms of intervention, whether or not they make the decision to file an official report. Although this need for improved access has also been discussed

¹⁶ Sinha, *Measuring violence against women*, p. 96.

earlier in this document, it is worth repeating. We can work to ensure that more individuals will report sexual violence and harassment to the police and take their complaints through the legal system. But we must also acknowledge that there must be community supports in place.

The Select Committee therefore recommends that:

59. The Ontario government ensure that adequate resources will be dedicated to alternatives to reporting sexual violence and harassment, including counselling, victims' services, and all other forms of intervention.

Diverse Voices

The Select Committee was also mandated to make efforts to include diverse voices, such as those of young people, Aboriginal people, visible minorities, LGBTQ individuals, seniors, and individuals with disabilities. As discussed throughout this report, various forms of power and inequality intersect to increase the likelihood that certain groups will experience sexual violence and harassment, and face heightened barriers to reporting incidents and receiving appropriate care. We have made numerous recommendations specifically addressing these potentially more vulnerable populations, particularly children and youth. However, we believe it is appropriate to reinforce this message of inclusivity. We are therefore closing our report with a further discussion of this subject, paying particular attention to areas where we received considerable testimony.

Aboriginal People and Communities

The Select Committee recognizes that Aboriginal individuals and communities suffer from the lingering effects of colonialism, one aspect of which was Canada's residential schooling system. One of the consequences of this history is that Aboriginal people face significantly higher rates of sexual violence than the non-Aboriginal population. Aboriginal women are approximately three times more likely to be victims of spousal violence, and more frequently in its most serious forms, such as choking or being threatened with a weapon.¹⁷ Indigenous youth are extremely vulnerable to sexual violence, while First Nations men have experienced high rates of childhood sexual abuse. The Committee learned that one individual was convicted of 60 counts of indecent assault against boys aged eight to 14, and is alleged to have committed hundreds of additional assaults against First Nations boys. Most tragically, while Aboriginal women make up only 4% of the Canadian population, they account for at least 11% of dating homicides, and roughly 16% of all female homicides.¹⁸

The Committee also acknowledges that Aboriginal people still face discrimination and poor treatment from front-line workers in the health, justice, and law enforcement systems. More education about the history and culture of Aboriginal people in Canada could help to reduce this continued prejudice. At present, this

¹⁷ Statistics Canada, *Violent Victimization of Aboriginal Women in the Canadian Provinces*, 2009, Cat. No. 85-002-X (May 2011), p. 10.

¹⁸ Sinha, *Measuring Violence Against Women*, p. 57; and RCMP, *Missing and Murdered Aboriginal Women*, p. 9.

history acts as a serious barrier to justice and care, as many Aboriginal individuals are afraid to report incidents of sexual violence.

Almost all of the Aboriginal witnesses and organizations appearing before the Committee stressed the need for improved access to culturally appropriate counselling services, particularly those focussing on the family as a whole. The long distances in remote parts of Ontario make it even more difficult to access necessary care. Witnesses expressed their support for the Ontario Joint Working Group on Violence Against Aboriginal Women, but stressed the need for long-term funding for the group, as well as an Aboriginal-specific component to *It's Never Okay*.

The Select Committee therefore recommends that:

60. The federal government conduct a comprehensive national inquiry into missing and murdered Indigenous women and girls.
61. The Ontario government ensure that there is an Aboriginal-specific equivalent to *It's Never Okay*.
62. The Ontario government work with First Nations communities to ensure that support services for survivors of sexual violence and harassment are culturally appropriate and sensitive to the history and needs of the community.
63. The Ontario government consider funding additional support services in Aboriginal communities, particularly family-based healing programs.

Francophone Communities

The Committee recognizes that Francophone speakers experience barriers to accessing appropriate care. Ontario's *Courts of Justice Act* gives French-speaking parties the right to require that a court proceeding be bilingual. Similarly, the *French Language Services Act* guarantees public access to Ontario government services in French in 25 designated areas across the province. Despite these protections, Francophone Ontarians informed the Committee that it can still be difficult to obtain legal and support services in French. Francophone lawyers with expertise in sexual assault cases are in short supply, particularly in non-Francophone areas. Several witnesses requested that the province fund more French-language sexual assault centres as many existing services that are supposed to be bilingual do not have adequate facility with the French language. Witnesses also requested that *It's Never Okay* specifically address the issue of Francophone support services.

The Committee therefore recommends that:

64. The Ontario government consider investing in and creating more French-language sexual assault centres.
65. The Ontario government consider working with the Law Society of Upper Canada and the University of Ottawa Faculty of Law with the goal of providing greater educational opportunities to Francophone law students on sexual assault prosecutions.

Greater Awareness and Increased Inclusion

The Committee recognizes that race, class, language, culture, gender, sexuality, geographic location, refugee or immigration status, age, and ability intersect to place some individuals at a greater risk of experiencing sexual violence. We also know that there are significant knowledge gaps, and that we received less testimony from some groups. An improved focus on how these differences function and intersect to affect the perpetuation and experience of sexual violence and harassment may help to create a safe and respectful society for all Ontarians. The Committee believes it is essential that any strategy to combat sexual violence and harassment acknowledge these lived realities and incorporate diverse voices from across Ontario. It may be necessary to reach out directly to these groups in order to adequately incorporate their voices.

The Committee therefore recommends that:

66. The Ontario government reach out directly to diverse groups to ensure that their voices are incorporated into any future policies pertaining to sexual violence and harassment.

CONCLUSION AND FOLLOW-UP

In closing, the Select Committee would once again like to thank the many people who have contributed to this project. We feel privileged to have been part of this important work, and want to ensure that the recommendations in this report are implemented alongside the commitments in *It's Never Okay*.

The Select Committee therefore recommends that:

67. The Legislative Assembly of Ontario review the progress on implementation of the recommendations in this report within two years of its adoption.

CONSOLIDATED LIST OF RECOMMENDATIONS

The Select Committee recommends that:

1. The Ontario government support research specific to sexual violence and harassment, including the collection of systematic baseline data and the development and evaluation of treatment protocols.
2. The Ontario government facilitate the development and sharing of best practices, including effective supports for survivors of sexual violence and treatment protocols for perpetrators.
3. The Ontario government expand its public education campaigns pertaining to sexual violence and harassment to reach and connect with diverse segments of Ontario's population, and target a wider range of behaviours, such as street harassment.
4. The Ontario government provide greater support and resources to campaigns that engage men and boys in helping to prevent gender-based violence.
5. Media outlets acknowledge their responsibility in shaping perceptions surrounding sexual violence and harassment and consider developing standards for reporting these incidents, based on the guidelines in Femifesto's *Reporting on Sexual Assault: A Toolkit for Canadian Media*.
6. The Ontario government develop consistent protocols for front-line workers to respond to sexual violence and harassment, in order to eliminate the influence of preconceived notions, biases, or stereotypes.
7. The Ontario government work with community partners to develop and deliver ongoing sensitivity training for front-line workers that is also informed by awareness of cultural differences and other factors that may lead to discrimination against individuals.
8. The Ontario government facilitate education, training, and the sharing of best practices relating to trauma-informed care for survivors of sexual violence.
9. The Ontario government, in cooperation with health and social service professionals, facilitate the provision of trauma-informed care for front-line workers who experience vicarious trauma.
10. All members of the court system, including judges, defence attorneys, and Crown attorneys, receive training on the realities of sexual violence and harassment and how sex-related crimes impact victims.
11. The Ontario government expand the availability of alternative forms of justice for crimes of a sexual nature, such as restorative

justice systems or specialized survivor-centred sexual violence courts.

12. The Ministry of the Attorney General ensure that survivors are aware of their right to ask for testimonial accommodations and that they be made available when it would facilitate the giving of a full and candid account by the witness or would otherwise be in the interest of the proper administration of justice.
13. The Ontario government explore creating a program where sexual assault survivors are assigned a non-legal advocate to assist them throughout the entire court process, providing them with information, advice, and emotional support.
14. The Ontario government explore the creation of a community-based Centre of Excellence in Sexual Violence Response to provide direct representation to victims, offer survivors information about their legal rights, educate the criminal bar and bench about issues relating to sexual violence, and deliver an accountability mechanism to measure improvements and outcomes.
15. The Ontario government explore ways to make the civil justice system more accessible to survivors of sexual violence by, for example, facilitating online claims.
16. Consistent procedural standards be adopted by police forces with respect to the submission of sexual assault evidence kits to the Centre of Forensic Sciences for analysis.
17. The Ministry of Community Safety and Correctional Services work with local police services to develop standards for responding to reports of sexual violence, including exploring the possibility of offering to have female officers or social workers present to take victim statements, or encouraging every police force to have specialized police units or investigators to oversee sexual assault investigations.
18. The Ontario government ensure that an independent review and investigation process be available to deal with sexual violence and harassment that occurs within law enforcement organizations.
19. The federal government appropriately address and work to remedy the culture of sexual violence that continues within Canada's military.
20. The Ontario government look at best practices when developing an enhanced policing system, and consider implementing a process similar to the Philadelphia model to track the treatment of sexual assault cases by police.
21. Payments received under the *Compensation for Victims of Crime Act* and compensation related to claims of sexual assault are added to the list of asset and income exemptions used when calculating government assistance benefit eligibility.

22. The Ontario government initiate a review of legislation pertaining to victims' rights, with a view to modernizing the system and making it more responsive to survivors.
23. The Ontario government expand public education on matters related to sexual violence and harassment, ensuring that prevention strategies are on-going and relevant to a broad audience.
24. Greater support be provided to both community- and school-based education programs that work to challenge myths and misconceptions about sexuality and masculinity/femininity, and teach both youth and adults about healthy relationships, consent, and respect.
25. When responding to an incident of sexual abuse or assault that occurs on school property, schools ensure sensitivity to the individual needs of survivors.
26. All community-based organizations that work with children ensure that staff and volunteers understand their roles and responsibilities related to sexual abuse prevention and response.
27. Sexual assault awareness be included as part of the Smart Serve training for individuals who serve alcohol.
28. The Ministry of Labour provide greater resources and tools to help employers train and educate employees on workplace sexual violence and harassment, focusing on creating a greater awareness of employees' rights, available resources, and recourse options.
29. Templates and best practice documents on creating violence and harassment policies and programs be developed by the Ministry of Labour, with a specific component on sexual violence and sexual harassment.
30. Ministry of Labour inspectors conduct regular, proactive inspections of workplaces to ensure workplace parties are complying with the violence and harassment requirements in the OHS Act (*Occupational Health and Safety Act*).
31. The Ministry of Labour be given the resources to adequately address issues of sexual violence and harassment in the workplace, including hiring more inspectors to enforce the OHS Act's violence and harassment requirements.
32. The Ontario government amend the OHS Act to provide an explicit definition of "sexual violence."
33. The Ontario government amend the OHS Act to provide a clear indication that reprisal protections extend to workplace harassment complaints.

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34. The Ontario government extend the increased training that will be provided to hospitality workers under the Action Plan to other employees who may face a greater risk of workplace sexual violence or harassment.
 35. The Ontario government amend the OHS Act to make education about domestic or intimate partner violence in the workplace mandatory for managers, supervisors, and workers.
 36. The Ontario government consider amending the *Workplace Safety and Insurance Act* to allow workers who suffer psychological injuries as a result of workplace sexual harassment to receive compensation.
 37. The Ministry of Training, Colleges and Universities implement criteria for sexual assault policies at colleges and universities, based on the Ontario Women's Directorate's guide on sexual assault prevention on campuses, *Developing a Response to Sexual Violence: A Resource Guide for Ontario's Colleges and Universities* (2013).
 38. The Ontario government increase its oversight capabilities over college and university complaint procedures and response protocols pertaining to sexual violence and harassment.
 39. All colleges and universities report on an annual basis to their Boards of Governors data on incidents of sexual violence, initiatives they have taken to address sexual violence and harassment, and information on their effectiveness, and that the Boards make the reports public after review.
 40. The Ontario government facilitate the exchange of ideas and best practices among post-secondary institutions with respect to responding to and preventing sexual violence and harassment on campus.
 41. All colleges and universities work with community-based sexual assault organizations to provide greater support options to students.
 42. The Ontario government ensure that the funding for Ontario's hospital-based SA/DVTCs (Sexual Assault/Domestic Violence Treatment Centres) is ongoing and stable.
 43. The Ontario government ensure that the SA/DVTCs provide 24-hour care, and that survivors are able to obtain the necessary hours of counselling, based on their needs.
 44. The Ontario government ensure that individuals living in rural and remote areas of the province have equal access to the SA/DVTCs or to hospitals equipped with and appropriately trained to use sexual assault evidence kits.

45. The Ministry of Health and Long-Term Care, in collaboration with the province's SA/DVTCs, make education and ongoing training available to all hospital staff involved in the treatment of persons who have been sexually assaulted, including in rural and remote areas of the province.
46. Ontario's SA/DVTCs consider employing a social worker or partnering with community organizations to provide additional support to survivors
47. Ontario's SA/DVTCs consider an alternative to the on-call pay model for their nurses.
48. The Ontario government ensure that the funding provided to the sexual assault centres is stable and secure, so that they can provide a full range of services including counselling, crisis lines, outreach, and education.
49. The Ontario government ensure that sexual violence and domestic violence continue to be addressed as two aspects of the same problem by Ontario's permanent Roundtable on Violence Against Women.
50. The Ontario government earmark capital funds for social services infrastructure related to violence against women, including shelters.
51. Following the completion and evaluation of the pilot program, the Ontario government consider expanding the Community Hub model initiative in order to better integrate services and promote the efficient use of resources dedicated to violence against women.
52. The Ontario government explore the integration and coordination of sexual violence and domestic violence funding and services across ministries in order to support integration and coordination at the community level.
53. The Ontario government improve access to peer-support programs for survivors of sexual violence and harassment.
54. The Ontario government ensure that individuals living in rural and remote areas of the province have adequate access to community support pertaining to sexual violence and harassment.
55. The Ontario government ensure that services for male survivors of sexual violence are improved, and given adequate and stable funding.
56. The Ontario government ensure that treatment services for perpetrators of sexual violence are evidence-based and adequately funded.

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57. The Ontario government provide resources for the development of a coordinated approach to help victims of human trafficking, allowing providers of support services and the criminal justice system to share information and work collaboratively.
 58. The Ontario government develop a multi-ministerial, province-wide strategy on human trafficking.
 59. The Ontario government ensure that adequate resources will be dedicated to alternatives to reporting of sexual violence and harassment, including counselling, victims' services, and all other forms of intervention.
 60. The federal government conduct a comprehensive national inquiry into missing and murdered Indigenous women and girls.
 61. The Ontario government ensure that there is an Aboriginal-specific equivalent to *It's Never Okay*.
 62. The Ontario government work with First Nations communities to ensure that support services for survivors of sexual violence and harassment are culturally appropriate and sensitive to the history and needs of the community.
 63. The Ontario government consider funding additional support services in Aboriginal communities, particularly family-based healing programs.
 64. The Ontario government consider investing in and creating more French-language sexual assault centres.
 65. The Ontario government consider working with the Law Society of Upper Canada and the University of Ottawa Faculty of Law with the goal of providing greater educational opportunities to Francophone law students on sexual assault prosecutions..
 66. The Ontario government reach out directly to diverse groups to ensure that their voices are incorporated into any future policies pertaining to sexual violence and harassment.
 67. The Legislative Assembly of Ontario review the progress on implementation of the recommendations in this report within two years of its adoption.

APPENDIX A: COMMITTEE MANDATE

On December 11, 2014, the Legislative Assembly of Ontario gave unanimous consent to a motion to establish a Select Committee “to make recommendations to the Legislature with respect to prevention of sexual violence and harassment and to improving our response to Ontarians who have experienced sexual violence and harassment.” In addition, in developing its recommendations, the Committee would

- make efforts to include diverse voices, including those of young people, aboriginal people, visible minorities, LGBTQ, seniors, and people with disabilities; and
- consider ways to shift social norms and other barriers which prevent people who have experienced sexual violence and harassment from coming forward.¹⁹

The mandate stipulates that the Committee was to table an interim report by June 4, 2015. However, to allow the Committee to include more witness testimony in its document, the House extended the deadline to June 24, 2015.²⁰

The mandate also stipulates that the Committee was to release its final report to the Legislative Assembly by December 10, 2015.

¹⁹ Legislative Assembly of Ontario, *Official Report of Debates (Hansard)*, 1st Sess., 41st Parl. (December 11, 2014).

²⁰ Legislative Assembly of Ontario, *Official Report of Debates (Hansard)*, 1st Sess., 41st Parl. (March 23, 2015).

APPENDIX B: PRECEDING DEVELOPMENTS

The Committee appreciates the important work that has preceded its own consideration of issues surrounding sexual violence and harassment in Ontario.

On November 26, 2014, Laurie Scott (Haliburton—Kawartha Lakes—Brock) moved an Opposition Day motion stating that “sexual harassment will not be tolerated as it violates our fundamental values, [and that] a select committee should be established . . . to make recommendations on combating sexual harassment in the workplace and protecting victims from further harm.” The motion was debated and carried unanimously.²¹

In March 2015 the Office of the Premier released *It’s Never Okay: An Action Plan to Stop Sexual Violence and Harassment*. The Action Plan contains a number of components, including

- a multi-media public education campaign to help change behaviours and call on bystanders to intervene when witnessing incidents of sexual violence or harassment;
- an updated Health and Physical Education curriculum to teach children from Grades 1 to 12 about healthy relationships and consent; and
- the creation of a permanent Roundtable on Violence Against Women with representatives from more than 20 organizations to provide ongoing advice to the government.

On October 27, 2015, the Minister Responsible for Women’s Issues, the Hon. Tracy MacCharles, introduced Bill 132, the *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment), 2015*. If passed, this legislation would implement a number of components of *It’s Never Okay*.

A number of documents and reports pertaining to various aspects of sexual violence and harassment have also been issued over the preceding decade, including the following:

- Ministry of Citizenship and Immigration, *Domestic Violence Action Plan for Ontario, 2005*
- *Changing Attitudes, Changing Lives: Ontario’s Sexual Violence Action Plan, 2011* (and *Progress Report, 2013*)
- Ontario Federation of Indigenous Friendship Centres (in partnership with the Ontario Native Women’s Association and the Métis Nation of Ontario), *Aboriginal Sexual Violence Action Plan, 2011*
- Office of the Auditor General of Ontario, *2013 Annual Report* (section on violence against women)

²¹ Legislative Assembly of Ontario, *Official Report of Debates (Hansard)*, 1st Sess., 41st Parl. (November 26, 2014).

- Assembly of First Nations, *A National Action Plan to End Violence against Indigenous Women and Girls*, 2013
- Ontario Women's Directorate, *Developing a Response to Sexual Violence: A Resource Guide for Ontario's Colleges and Universities*, 2013

APPENDIX C: COMMITTEE MEETINGS AND PUBLIC HEARINGS

The Committee met for the purpose of organization and to discuss business matters in February 2015. Public hearings were held in Toronto and other locations around Ontario beginning on March 4, 2015 and ending on September 23, 2015, as listed below.

Toronto	March 4 and 25; April 1, 15, 22, and 29; May 6, 11, and 13; and September 23, 2015
Sudbury	April 8, 2015
Thunder Bay	April 9, 2015
Sioux Lookout	April 10, 2015
Windsor	May 19, 2015
Kitchener-Waterloo	May 20, 2015
Kingston	May 21, 2015
Ottawa	May 22, 2015

The Committee heard from individual survivors, family members, health care and social service professionals, advocates for survivors, and many representatives of stakeholder organizations. Our June 2015 *Interim Report* summarizes the testimony of these individuals and organizations. The September hearings included presentations by the Ontario Women's Directorate as well as the co-chairs of the Roundtable on Violence Against Women.

During its travels, the Committee made a site visit to the Voices for Women Sudbury Sexual Assault Centre, which graciously accepted our invitation to discuss how sexual violence and harassment issues affect individuals and communities in northern Ontario.

In total, the Committee held 17 days of public hearings during which it listened to the testimony of more than 147 individuals and organizations. It received a number of written submissions by September 28, 2015, along with many articles, studies, and other items of interest pertaining to sexual violence and harassment. Several witnesses spoke to the Committee privately to protect their anonymity.

The *Hansard* transcripts of the proceedings for each Committee meeting are public documents available through the Legislative Assembly.

APPENDIX D: LIST OF WITNESSES

Organization/Individual	Date of Appearance / Written Submission
Joan Ruth Abernethy	March 25, 2015
Aboriginal Legal Services of Toronto	May 11, 2015
Dr. Jacques Abourbih and Ms. Carol Cameletti	April 8, 2015
Action ontarienne contre la violence faite aux femmes	May 22, 2015
Amelia Rising (Sexual Assault Centre of Nipissing)	Written submission
Sherry Anderson	May 13, 2015
Barbara Schlifer Commemorative Clinic	May 11, 2015 and written submission
Beendigen Inc.	April 9, 2015
Sarah Bokhari	Written submission
Boost Child Abuse Prevention and Intervention	April 1, 2015
MaryAnn Bradshaw	April 22, 2015
Brant Response Against Violence Everywhere	May 20, 2015 and written submission
BridgeNorth	May 11, 2015
CALACS francophone d'Ottawa	May 22, 2015
Canadian Association For Equality	April 1, 2015 and written submission
Canadian Children's Rights Council	May 6, 2015 and written submission
Canadian Federation of Students	May 22, 2015
Canadian Federation of Students of Ontario	April 29, 2015 and written submission
Canadian Federation of University Women, Burlington	May 13, 2015
Canadian Federation of University Women, Kitchener Waterloo	Written submission
Canadian Federation of University Women, Sudbury	Written submission
Canadian Women's Foundation	May 6, 2015
Carleton University Graduate Students' Association	May 22, 2015
Centre des ressources de l'est d'Ottawa, bureau de Pembroke	May 22, 2015
Centre for Research and Education on Violence Against Women and Children	May 19, 2015 and written submission
Centre Novas-CALACS francophone de Prescott-Russell	May 22, 2015
Centre Victoria pour femmes	April 8, 2015
Chiefs of Ontario-First Nations Women's Caucus	May 22, 2015
Child and Youth Advocacy Centres of Ontario	May 13, 2015
Child Witness Centre	May 20, 2015
Colleges Ontario	March 25, 2015
Community Advocacy and Legal Centre	May 21, 2015 and written submission

Organization/Individual	Date of Appearance / Written Submission
Community Justice Initiatives	May 20, 2015
Patrick Copenace and Angela Flett	April 10, 2015
Cornerstone Housing for Women	May 22, 2015
Council of Ontario Universities, Reference Group on Sexual Assault	May 20, 2015
Crime Prevention Ottawa	May 22, 2015 and written submission
Criminal Injuries Compensation Board	Written submission
Amanda Dale	March 4, 2015 and written submission
Sharon Danley	Written submission
Cheri DiNovo	April 29, 2015
DisAbled Women's Network Ontario	May 11, 2015 and written submission
Brenda Dovick	April 10, 2015
Michel Drapeau	May 21, 2015
Draw the Line	May 22, 2015
EGALE Canada Human Rights Trust	May 6, 2015 and written submission
Elementary Teachers' Federation of Ontario	April 29, 2015
Farah El-Hajj	May 19, 2015
Anita Ellerbeck	Written submission
Fathers are Capable Too	May 6, 2015
Faye Peterson House	April 9, 2015
First Step Women's Shelter and Hoshizaki House Dryden District Crisis Shelter	April 10, 2015
Penny Fisher	May 6, 2015
Elaine Flis	April 22, 2015
Gender Issues Centre, Lakehead University Student Union	April 9, 2015
Bailey Gerrits and Rebecca Rappeport	May 21, 2015 and written submission
Sol Goldstein	May 6, 2015 and written submission
Elizabeth Grace and Susan Vella	May 13, 2015
Greater Sudbury Police Service	April 8, 2015
Guelph-Wellington Women in Crisis	May 20, 2015
Matthew Gventer	May 21, 2015
Mary Louise Heyens	May 20, 2015
Hollaback! Ottawa	May 22, 2015
Hope 24/7	April 15, 2015 and written submission

Organization/Individual	Date of Appearance / Written Submission
Cordelia Huxtable	May 6, 2015
Kawartha Sexual Assault Centre	May 21, 2015
Kingston Frontenac Anti-Violence Coordinating Committee	May 21, 2015
Kingston Police	May 21, 2015
Koala Place	May 22, 2015 and written submission
Labour OHCOW Academic Research Collaboration	May 22, 2015 and written submission
Laurentian University	April 8, 2015
Anne Lee	April 29, 2015 and written submission
Legal Assistance of Windsor	May 19, 2015
Greg Lemay	May 19, 2015 and written submission
London Abused Women's Centre	May 19, 2015
Patricia MacNeil	Written submission
ManUp	May 22, 2015
Maplegate House for Women	April 8, 2015
METRAC	Written submission
Wayne Morris	May 20, 2015
Paul Mullins	Written submission
Muskoka Parry Sound Sexual Assault Services	April 29, 2015
Muslim Resource Centre for Social Support and Integration	Written submission
Heidi Nabert and Steven Dolk	April 15, 2015
Niagara Region Sexual Assault Centre	Written submission
Nishnawbe Aski Nation	April 9, 2015
Northwest Ontario Women's Centre	April 9, 2015
Jennifer O'Neil	May 21, 2015
Ontario Association of Interval and Transition Houses	May 13, 2015
Ontario Coalition of Rape Crisis Centres	April 22, 2015 and written submission
Ontario Collaborative Response to Family Violence	May 6, 2015
Ontario Federation of Labour	May 20, 2015 and written submission
Ontario Native Women's Association	April 8, 2015
Ontario Native Women's Association, Thunder Bay Satellite	April 9, 2015
Ontario Network of Sexual Assault / Domestic Violence Treatment Centres	April 29, 2015
Ontario Network of Victim Service Providers	April 29, 2015
Ontario Nurses' Association	Written submission

Organization/Individual	Date of Appearance / Written Submission
Ontario Undergraduate Student Alliance	April 15, 2015 and written submission
Ontario Women's Directorate	September 23, 2015 and written submission
Ottawa Rape Crisis Centre	May 22, 2015
Judah Oudshoorn	May 20, 2015
R. Ozga	Written submission
Pace Law Firm	April 10, 2015
Parental Alienation Awareness Organization	May 6, 2015 and written submission
Chantal Parisien	Written submission
Dan Perrins	Written submission
Judith Pidgeon	April 9, 2015
Dianne Piluk	May 20, 2015
Prostitutes of Ottawa/Gatineau Work, Educate and Resist	May 22, 2015
Provincial Council of Women of Ontario	May 11, 2015
Queen's Sexual Assault Prevention and Response Working Group	May 21, 2015
Rainy River District Women's Shelter of Hope	April 9, 2015 and written submission
Registered Nurses' Association of Ontario	April 29, 2015
Registered Nurses' Association of Ontario, Kingston Chapter	May 21, 2015
Registered Nurses' Association of Ontario/Ontario Network of Sexual Assault/Domestic Violence Treatment Centres	April 10 and 29, 2015
Registered Nurses' Association of Ontario, Windsor-Essex Chapter	May 19, 2015
Réseau Access Network	April 8, 2015
Rising Angels	May 11, 2015
Heather Roberge	Written submission
Isabel Rodrigue	May 22, 2015
Roundtable on Violence Against Women	September 23, 2015 and written submission
SEIU Healthcare Canada	May 11, 2015
Dr. Charlene Senn	May 19, 2015 and written submission
Sexual Assault Centre (Hamilton and Area)	April 22, 2015
Sexual Assault Centre Kingston	May 21, 2015
Sexual Assault Centre London, Opening the Circle	May 20, 2015
Sexual Assault Centre of Brant	May 20, 2015 and written submission

Organization/Individual	Date of Appearance / Written Submission
Sexual Assault/Domestic Violence Treatment Centre, Thunder Bay Regional Health Sciences Centre	April 9, 2015
Sexual Assault Support Centre of Ottawa	May 22, 2015 and written submission
Sexual Assault Support Centre of Waterloo Region	May 20, 2015
Shelter House	April 9, 2015
Sioux Lookout Meno Ya Win Health Centre	April 10, 2015
Sisters Achieving Excellence	May 22, 2015
Joy Smith	May 21, 2015
Samantha Smith	April 9, 2015
South Asian Women's Centre	April 1, 2015 and written submission
Julie and Jeff Stauffer	April 29, 2015
Sudbury Counselling Centre Centre de counselling de Sudbury	April 8, 2015
Sudbury Workers Education & Advocacy Centre	Written submission
Sunset Area Victim Crisis Assistance and Referral Service and Ah-Shawah-Bin Sioux Lookout/Lac Seul Victim Support Services	April 10, 2015
Jenny Tang	April 22, 2015 and written submission
TG Innerselves Sudbury	April 8, 2015
The Men's Project	May 13, 2015
Timmins and Area Women in Crisis	May 21, 2015 and written submission
Toronto Rape Crisis Centre	May 6, 2015
Toronto Workers' Health and Safety Legal Clinic	May 13, 2015
Unifor	May 19 and 20, 2015 and written submission
United Food and Commercial Workers Union Canada	Written submission
Violence Against Women Services Elgin County	May 19, 2015
Violence Intervention and Prevention Program, Ramsey Lake Health Centre (Health Sciences North)	April 8, 2015
Waterloo Region Sexual Assault/Domestic Violence Treatment Centre	May 20, 2015
Samantha Wells and Kate Graham	Written submission
Sandy Welsh	May 11, 2015
White Ribbon Campaign	April 29, 2015
Wilfrid Laurier University	May 20, 2015
Wilfrid Laurier University Students' Union	May 20 and written submission
WomenatthecentrE	March 25, 2015

Organization/Individual	Date of Appearance / Written Submission
Women's House Serving Bruce and Grey	May 20, 2015
Women's Multicultural Resource and Counselling Centre of Durham	May 6, 2015
Women's Sexual Assault Centre of Renfrew County	May 22, 2015
Jo-Ellen Worden	April 1, 2015
Andrew Yu	March 25, 2015
YWCA Canada	April 29, 2015
YWCA Toronto	May 20, 2015