



# GENDERED AND SEXUAL VIOLENCE POLICY

Adopted by Legislative Council: 2018/10/11

Expires: 2023/05/01

[Adopted Motion \(Link\)](#)

## 1. Preamble

This Gendered and Sexual Violence Policy, herein referred to as the GSVP, is a response to harm perpetrated by members of the 2016-2017 SSMU Executive who committed acts of sexual violence against a dozen students from the McGill community. Not only were the perpetrators executives at SSMU, but SSMU failed to take active steps to investigate and respond to rumours, informal and formal complaints regarding the individuals in question. The lack of clear procedure, survivor-centric processes and disclosure training perpetuated the re-traumatization of survivors who sought to hold the SSMU executive members accountable for their actions and ensure that they could no longer hold positions at SSMU.

Due largely in part to the unpaid emotional and physical labour of the adhoc collective the “Community Disclosure Network” (CDN), this harm was brought to light. They launched an anonymous disclosure campaign following disappointment with the lack of mechanisms within SSMU to hold perpetrators of sexual violence accountable. Because of CDN’s work, both individuals in question resigned from their positions in SSMU, with less than a few months left in their terms. These incident(s) revealed the serious shortcomings in SSMU’s ability to respond to sexual violence internally.

The GSVP has been created to ensure that the harm and re-traumatization that survivors experienced will not happen again. This holistic GSVP serves to create confidential and survivor-centric processes for disclosures and resolutions within various political representative bodies, clubs, and services of SSMU. Beyond creating a disciplinary procedure to respond to sexual violence, this policy will address acts of gendered violence - a broader spectrum of harm that includes sexual violence.

SSMU recognizes that acts of gendered and sexual violence are not isolated incidents. They occur within the context of the prevalence of [rape culture](#) in the broader communities of McGill and beyond. Thus, this policy seeks to address gendered and sexual violence by focusing on specific commitments SSMU will make to be able to support the existing prevention and support programs, as well as create new student-led responses which may fill in gaps existing between other policies and procedures.



There are many steps the SSMU must take to begin to address the violence that it has been complicit in perpetuating, this policy being just a beginning. We must create a union that supports, protects, educates, and advocates for the safety and well-being of its members. We must be active leaders in the fight against campus gendered and sexual violence.

## 2. Purpose

The SSMU GSVP has been created to provide an intersectional and survivor-centric approach to sexual harassment, gendered violence and sexual violence within the SSMU community and applied to the SSMU context.

SSMU is a unique entity whereby their jurisdiction within the SSMU context is different from the institution of McGill University. SSMU has jurisdiction over its employees, volunteers, participants in SSMU clubs and those who are present within SSMU spaces. Furthermore, SSMU is comprised of elected officials - the Board of Directors, the Judicial Board, Legislative Council and the SSMU officers (also known as Executives) - who, by provincial legislation, are subject to different processes with regards to sanctions. It is important to note that this jurisdiction is different than that of McGill University, whose [Policy Against Sexual Violence](#) has limited authority within the SSMU context of employment, clubs or services. Thus, the purpose of this policy is to fill this gap and complement the existing campus and community structures in place to respond to gendered and sexual violence.

The purpose of this policy is to create a response to gendered and sexual violence within the SSMU community that is holistic and encapsulates the four components of (1) prevention, (2) support, (3) advocacy and (4) response. All of these components will rely on an intersectional framework to account for the different ways in which various groups experience and are impacted by gendered and/or sexual violence.

### 2.1. Prevention

In September 2017, the SSMU Legislative Council passed [a motion](#) to acknowledge that gendered and sexual violence does not occur in isolation from the larger context of rape culture that exists on campus and Canadian society. In this motion they defined rape culture as “a culture in which dominant ideas, social practices, media images and societal institutions implicitly or explicitly condone sexual assault by normalizing or trivializing male sexual violence and by blaming survivors for their own abuse”. To address, the larger context of sexual violence the SSMU policy will actively engage with prevention efforts. SSMU will work with existing campus stakeholders to create and mandate prevention training and campaigns that address the existence of rape culture on campus, promote a culture of consent and actively facilitate the creation of a safe and inclusive environment that is free from gendered and sexual violence.



## 2.2. Support

SSMU will seek to support the existing support resources on campus and in the larger community to ensure that students are aware of the resources and accommodations available to them. SSMU acknowledges that its role is to uphold and complement the existing support structures, and advocate for increased resources and intersectional support options. We all share the same goal in ensuring individuals who experience gendered and/or sexual violence have access to timely and specialized resources to support their healing processes.

## 2.3. Advocate

SSMU will take on an active role in advocating for intersectional and survivor-centric processes at McGill University and at the provincial level by using the [OurTurn National Action Plan](#) as a guide and through the creation of an OurTurn McGill Taskforce.

## 2.4. Response

The GSVP creates accessible, confidential and survivor-centric processes to ensure that all members of the SSMU community have the ability to have options available to them to feel safe and comfortable while participating in SSMU spaces and using SSMU services. These informal and formal resolution processes are in accordance with and do not limit a survivor's ability to seek recourse through other existing structures such as of the [McGill Policy Against Sexual Violence](#) and the [Criminal Code](#).

## 3. Scope

3.1. This policy applies to all forms of gendered violence, sexual harassment and sexual violence as defined in section 6 of this policy.

3.2. Upon the passing of this policy all other relevant SSMU policies and documents will be updated to ensure that they are adapted to the GSVP, this includes the SSMU Employment Manuals, SSMU Club and ISG documents, SSMU Internal Regulations and the SSMU Constitution.

3.3. This policy applies to all members of the SSMU community, individuals using or participating in SSMU services and clubs or individuals on SSMU property.

3.4. This policy applies to all forms of gendered violence, sexual harassment and sexual violence, as defined in section 6 of this policy, whether they are in the University's learning, living or work environment, on or off campus, or interacting through social or other electronic media and when the



potential consequences of the incident(s) may adversely affect the complainant's ability to feel safe and be able to access SSMU spaces or services.

3.5. For clarity there is no limit on the temporal jurisdiction of this policy, as to when the act of gendered and/or sexual violence occurred. Specifically, so long as the respondent and/or complainant are members of the SSMU community at the time of the incident or at the time of the complaint.

## 4. Jurisdiction

4.1. Due to the context and limitations of the jurisdiction of SSMU this policy applies to all members of the SSMU community to varying degrees depending on their status within the SSMU community, as outlined in section 11.8 of this policy.

4.2. To clarify within this policy, the SSMU community encapsulates all:

- a) SSMU members which includes all undergraduate students;
- b) SSMU employees, both full time, part-time and casual;
- c) SSMU volunteers, who have signed volunteer contracts, in the instance that they are not undergraduate students at McGill (for example, PGSS members who volunteer for SSMU services);
- d) SSMU Officers, also referred to as Executives;
- e) SSMU General Manager;
- f) SSMU Legislative Council;
- g) SSMU Judicial Board;
- h) SSMU Board of Directors;
- i) Executives and or members of all SSMU affiliated club, Independent Student Groups and Services;
- j) Any visitor on SSMU owned or leased premises, using SSMU services or participating in a SSMU club regardless of student or SSMU membership status.

## 5. Roles and Responsibilities

**5.1. Anti-Violence Coordinator.** Two Anti-Violence Coordinators (AVCs) will be hired by SSMU to oversee the implementation and application of the GSVP. The coordinators will be responsible for organizing GSVP training in conjunction with HR and SSMU executives. The coordinators are responsible for facilitating the response section of the policy. Prior to the beginning of their mandate they must receive extensive training as required in their contract.

**5.2. Human Resources Manager.** The HR manager is responsible for applying the GSVP as it relates to GSVP training for employees and recourse mechanisms in the Employee Manual for full-time and casual staff pursuant to the GSVP. They are the direct supervisor of the AVCs.



**5.3. SSMU Executive Officers.** The Executive Officers are responsible for assisting in the implementation of the GSVP. The following is a breakdown of their roles as it pertains to the GSVP:

**5.3.1 President:** The President is responsible for ensuring that all members of the SSMU complete GSVP training in accordance with the timeline outlined in the GSVP.

**5.3.2 Vice-President Student Life:** VP Student Life is responsible for working in conjunction with the AVCs to ensure that all clubs, services and ISG's receive training.

**5.3.3 Vice-President University Affairs:** VP University Affairs is responsible updating the rights of students on the Know Your Rights campaign specifically as it relates to the rights of individuals who experience gendered and/or sexual violence.

**5.3.4: Vice-President External:** VP External is responsible the coordination of the OurTurn McGill taskforce, specifically the selection and honorarium of the Chair.

**5.3.5 Vice-President Finance:** VP Finance is responsible for ensuring that the designated amount of funding to operate the GSVP is provided for in the SSMU budget.

**5.3.6: Vice-President Internal:** VP Internal is responsible for communicating any relevant information regarding the GSVP including prevention initiatives and training to the SSMU body at large. Additionally, they are responsible for taking all appropriate steps to ensure that SSMU events are safe spaces free of gendered and sexual violence.

## 6. Definitions

**6.1. Affirmative Consent:** Affirmative consent requires that a person is able to freely choose between two options: yes and no. This means that there must be an exchange of mutually understood affirmative words or body language which indicates a willingness to participate in mutually agreed upon sexual activity. It is the responsibility of the person initiating or engaging in a sexual activity to obtain clear and affirmative responses at all stages of sexual engagement. Silence or non-communication must never be interpreted as consent. The fact that consent was given in the past to a sexual or dating relationship does not mean that consent is deemed to exist for all future sexual activity. Recognizing the intersectionality of consent and ability, consent may not be present properly if an individual has a disability that limits their verbal or physical means of interaction – in these instances and all instances, it is necessary to determine how consent will be established.

Consent is not obtained or implied if:

- The agreement is expressed by the words or conduct of a person other than the specific individuals who are involved in the sexual activity;



- An individual induces another individual to engage in the activity by abusing a position of trust, power or authority;
- An individual expresses, by words or conduct, a lack of agreement to engage in the sexual activity;
- An individual, having consented to engage in sexual activity, expressed, by words or conduct, expresses a lack of agreement to continue to engaging in the activity.
- An individual is asleep, unconscious or otherwise unable to communicate;
- An individual has been threatened or coerced, as outlined in the definition of sexual violence, ) into engaging in the sexual activity;
- An individual has been drugged;
- An individual is incapacitated due to consumption of alcohol or drugs.

Additionally:

- Any sexual activity involving alcohol or drug-use requires the standard of affirmative consent. The use of alcohol and/or drugs by an individual never implies consent and should not be assumed to have played a role in causing a survivor's experience of sexual violence. Furthermore, the use of drugs or alcohol by the perpetrator never justifies their actions;
- An individual's profession should not impact their ability to provide or withdraw consent. Specifically, individuals choosing to engage in sex work maintain autonomy over their bodies and the ability to consent or not consent to any form of sexual activity. However, it is important to distinguish the term 'sex work' from 'sex trafficking'. Sex trafficking is the trade of humans for the purposes of sexual exploitation. Sex trafficking is a criminal act, under which consent cannot be obtained in any circumstances;

**6.2. Board of Director:** The body of the SSMU made up of all the Directors in accordance with Article 6 of the SSMU Constitution;

**6.3. Club:** A formal and accredited organization which has been recognized by the Society as a Full-Status Club or as an Interim-Status Club in accordance with the Internal Regulations of the Student Life Portfolio. The composition could include both executives, members who can be McGill students and non-McGill students;

**6.4. Discloser:** An individual who discloses information about an incident(s) of gendered or sexual violence that they have experienced;

**6.5. Employee:** A person who is hired for a wage, salary, fee, or payment to perform work for the SSMU;

**6.6. Independent Student Group:** A student-based organization that is not a Service or Club but that provides some benefit to Members and that is accredited by the SSMU as an Independent Student Group, in accordance with the Internal Regulations of the Student Life Portfolio;



**6.7. Gendered Violence:** any act of physical, verbal, or emotional aggression which implicates, targets, or de-legitimizes an individual's gender presentation or identity; or an act reinforcing gender inequalities resulting in physical, sexual, emotional, or economic harm. This includes misogynistic, queerphobic, and transphobic violence. Gendered violence is often implicit, and the gendered dynamics which enable it may not always be hypervisible.

Gendered violence can manifest as singular acts or as continued micro-instances of violence. These include, but are not limited to:

- Intentional misgendering;
- Intentional “outing”;
- Verbal abuse;
- Use of gendered slurs;
- Physical violence or intimidation.

**6.8. Judicial Board:** Shall refer to the body of the Society, established in accordance with section 15 of the [SSMU Constitution](#);

**6.9. Legislative Council:** shall refer to the body of the Society, established in accordance with section 8 of the [SSMU Constitution](#);

**6.10. Officer:** Any person elected to any position created under section 10.1 of the Constitution;

**6.11. Petitioner:** A SSMU member, officer, employee, or visitor who has sought formal recourse through the GSVP.

**6.12. Rape Culture:** A culture in which dominant ideas, social practices, media images, and societal institutions implicitly or explicitly condone sexual violence by normalizing or trivializing sexual violence and by blaming survivors for their own abuse. Rape culture enables disproportionate rates of sexual and gendered violence in marginalized communities, and prevents perpetrators from being held accountable for their actions;

**6.13. Respondent:** A member of the SSMU community named as an offender in a informal or formal report of sexual violence;

**6.14. Service:** a formal and accredited organization that has been recognized by the SSMU as a Service in accordance with the Internal Regulations of the Student Life Portfolio;

**6.15. Sexual Violence:** any non-consensual, unwanted actual, attempted, or threatened act or behaviour, that is carried out through sexual means or by targeting a person's sexuality, gender



identity, or gender expression. This act or behaviour may or may not involve physical contact.

Sexualized violence includes all forms of sexual misconduct including but not limited to:

- a) **Sexual Assault:** Any form of sexual touching or the threat of sexual touching without the individual's consent;
- b) **Sexual Coercion:** is the act of using subtle pressure, drugs, alcohol, influence, power, or force to have sexual contact with someone against their will. Sexual coercion includes ongoing attempts to have sexual contact of some kind with another person who has already expressed that they do not want to have sexual contact;
- c) **Sexual Harassment:** Unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;
- d) **Stalking:** Engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;
- e) **Indecent Exposure:** Exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their consent;
- f) **Voyeurism:** Non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose;
- g) **Distribution of Sexually Explicit Photograph or Recording:** The distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording;
- h) **Stealthing:** nonconsensual condom removal during sexual intercourse.

6.16. **SSMU:** The Students' Society of McGill University/l'Association Étudiante de l'Université McGill, the corporation duly incorporated pursuant to the laws of the Province of Québec pursuant to the Act, and accredited as a student association pursuant to the Act Respecting the Accreditation and Financing of Students' Associations, CQLR c A-3.01;

6.17. **Personal Advocate:** An individual who may advocate or provide information and support to a complainant through the complaint process.



**6.18. Support Person:** An individual present during a complaint who gives emotional support through the complaint process.

**6.19. Survivor:** For the purposes of this policy, a SSMU Community Member who has experienced an act or acts of sexual violence as it has been defined above. Survivors themselves may self-identify using whatever language they prefer.

**6.20. Survivor-centrism:** A survivor-centred approach requires all those who engage in sexual violence prevention and support programming to prioritize the rights, needs, and wishes of the survivor. This requires the inclusion of procedural commitments that seek to mitigate the potential for re-traumatization when survivors seek recourse or accommodations.

**6.21. Trauma-Informed:** A process that is informed by the understanding of how trauma affects Survivors' response to services, resolution processes, and procedures. It is important to recognize that adopting a trauma-informed approach requires significant training and is a field that is continuously developing. Thus, trauma-informed processes should be carried out by individuals with appropriate training with the goal of avoiding Survivor re-traumatization, increasing the safety of all, and increasing the effectiveness of interactions with Survivors.;

**6.22. Visitor:** An individual who is present on SSMU owner or leased property or is using SSMU services regardless of their geographic location.

## 7. Prevention & Training

**7.1. Gendered and Sexualized Violence Prevention and Support Training**, herein referred to as GSVP Training, will be coordinated by the AVCs in collaboration with various actors, including but not limited to the President of SSMU, the Human Resources Manager of SSMU, the VP Student Life and executive members of campus clubs.

**7.2.** This training will be coordinated and scheduled by the AVCs, and will be facilitated by volunteers from SSMU and SACOMSS. The AVCs will be responsible for training these facilitators and scheduling the training sessions. The volunteer trainers will be conducting the training sessions. The trainings will include information pertaining to:

- Defining sexual violence and gendered violence;
- Consent including discussions of consent and alcohol or drug use;
- Rape culture and consent culture;
- Intersectional impacts of gendered and sexual violence;
- Bystander intervention;
- Survivor-centric responses to disclosures;



- On-campus and off-campus support options;
- Reporting options including the SSMU GSVP policy.

7.3. Individuals have the ability to have alternative trainings to those offered by SSMU recognized as equivalent to the GSVP training, based on the discretion of the AVCs. The alternative trainings must be conducted by individuals who have received adequate training from professionals in the field of sexual violence, such as OS-VRSE, and the training must cover all of the topics mentioned in section

7.4. Upon completing their training individuals will be asked to complete a feedback form to measure the impact of the training and record ways the training can be continuously improved.

7.5. The AVCs will keep records of the names and numbers of individuals who completed the training and include it in a report, presented to SSMU by May 31st of each year.

7.6. Students who complete the training will have the ability to add it to their McGill co-curricular record. This will be monitored by the AVCs.

## 7.7. Employee Training

7.7.1. All SSMU full, part-time and casual employees, including the General Manager, will be required to complete GSVP Training, within 2 weeks of their contract start date as mandated by the SSMU Employee Manual.

7.7.2. Employees may be exempted from training at the discretion of the AVCs, particularly under exceptional circumstances such as the signing of a contract which covers a period of less than two weeks, or absence from Montreal during the term of the contract.

7.7.3. All employees must participate in the training annually, based on the academic year.

7.7.4. This training will be coordinated by the AVCs, in conjunction with the SSMU Human Resources Manager, herein referred to as the HR Manager.

7.7.5. An employee who does not complete the training within the initial 2 week deadline will be contacted directly again by the AVCs to arrange a training in their first month of employment at SSMU. The AVCs will also inform the SSMU HR Manager in writing that the individual has not completed the GSVP training within the required time frame.

7.7.6. If an employee does not complete the training within their first month of employment they will be placed on an administrative suspension until the training is completed.



## 7.8. SSMU Officer Training

7.8.1. All members elected into SSMU officer positions, as defined in the SSMU Constitution, will be required to complete GSVP Training within 2 weeks of their contract start date.

7.8.2. If the member is re-elected into an officer position in SSMU or hired in another position at SSMU after their initial term, they must repeat the training annually based on the academic year.

7.8.3. This training will be coordinated by the SSMU Gendered and Sexual Violence Policy Coordinators, in conjunction with the SSMU President.

7.8.4. It is the responsibility of the SSMU President to ensure that all officers complete the training within the first two weeks of their contract start date.

7.8.5. In the event that an individual takes an officer position through a by-election they must complete the training within two weeks of the start date of their term. It is the responsibility of the SSMU President to ensure that this training occurs.

7.8.6. If a SSMU officer does not complete the training within the initial 2 week deadline, the AVCs will contact the officer directly to arrange a training in their first month of taking their position at SSMU. The AVCs will also inform the President in writing that the officer has not completed the GSVP training within the required time frame.

7.8.7. In the event that the SSMU President has not completed their training, the AVCs will provide a written notice to the HR Manager.

7.8.8. If an officer does not complete the training within their first month of employment, the AVCs will notify the President and the HR Manager who will place the officer under administrative suspension until the training is completed.

## 7.9. Legislative Council Training

7.9.1. All voting and non-voting members of the SSMU Legislative Council will be required to complete GSVP Training prior to or within one month of the first Legislative Council meeting.

7.9.2. This training will be coordinated by the AVCs in conjunction with the Speaker of the Legislative Council, to be included in the general Legislative Council training prior to the beginning of their mandate.



7.9.3. If a member of Legislative Council is unable to complete the training during the general Legislative Council training, then the individual member must coordinate with the AVCs to attend an alternative training session.

7.9.4. It is the responsibility of the SSMU President, working alongside the Legislative Council Parliamentarian and Speaker, to ensure that all Legislative Council members receive training within the required time period.

7.9.5. If members of the Legislative Council have completed equivalent training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This does not detract from the requirement that members of the Council must complete training annually based on the academic year.

7.9.6. If a member of the Legislative Council does not complete the training within the month following the first Legislative Council meeting they will be suspended from Legislative Council meetings until the training is completed.

## 7.10. Board of Directors and Judicial Board Training

7.10.1. All members-at-large of the SSMU Board of Directors and Judicial Board, will be required to complete GSVP Training within one month of their ratification at the Fall General Assembly.

7.10.2. This training will be coordinated by the SSMU Gendered and Sexual Violence Policy Coordinators, in conjunction with the SSMU President.

7.10.3. It is the responsibility of the SSMU President to ensure that all members of the Board of Directors and Judicial Board complete the training within the first two weeks of their start date.

7.10.4. If members of the Board of Directors or Judicial Board have completed the GSVP Training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This does not detract from the requirement that members of both boards must complete training annually based on the academic year.

7.10.5. If a member of the Board of Directors or Judicial Board does not complete the training within the month following their ratification at the Fall General Assembly they will be suspended from meetings until the training is completed.



## 7.11. Services Training

7.11.1. All employees hired by services are required to complete GSVP Training within 2 weeks of beginning their contract.

7.11.2. All service employees must participate in, or receive exemption from, the training annually.

7.11.3. In the event that a service does not employ individuals, they are required to ensure that at least 5 executives or 50% of their executive team, whichever is lesser, has received GSVP Training during the Fall academic semester at McGill.

7.11.4. If an individual has completed equivalent training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This does not detract from the requirement that everyone must complete training annually based on the academic year.

7.11.5. This training will be coordinated by the AVCs in conjunction with the HR Manager, and the VP Student Life.

7.11.6. In the case of employees it is the responsibility of the SSMU HR Manager to ensure that the GSVP Training is completed. In the case of service executive members, it is the responsibility of the VP Student Life to ensure that the GSVP Training is completed.

7.11.7. A service employee who does not complete the training within the initial 2 week deadline, will be contacted directly by the AVCs to arrange a training in their first month of employment at SSMU. The AVCs will also inform the the SSMU HR Manager in writing that the individual has not completed the GSVP training within the required time frame.

7.11.8. A service that has not had 5 executive members or 50% of their executive team, whichever is lesser, complete the training by December, will be contacted directly by the AVCs to arrange a training in the prior to the winter semester at McGill. The AVCs will also inform the the VP Student Life in writing that the individual has not completed the GSVP training within the required time frame.

7.11.9. If an employee does not complete the training within their first month of employment they will be placed under administrative suspension until the training is completed. A service whose executive members do not complete the training in the Fall academic semester will be required to meet with the VP Student Life to determine appropriate next steps.



## 7.12. Clubs and Independent Student Groups Training

7.12.1. All accredited SSMU clubs and Independent Student Groups will be required to ensure that at least 5 members or 50% of their club membership, whichever is lesser, has received GSVP Training.

7.12.2. All SSMU clubs and independent student groups will be notified of this requirement in an email sent by the VP Student Life. This requirement will also be included in any club orientation documents or online information pages provided by SSMU.

7.12.3. If an individual has completed equivalent training in another capacity, they may be exempted at the discretion of the Gendered and Sexualized Violence Policy Coordinators. This does not detract from the requirement that everyone must complete training annually based on the academic year.

7.12.4. If the composition of clubs change in the winter semester, members can request additional training to the AVCs if they feel that it is necessary.

7.12.5. It is the responsibility of the VP Student Life, in conjunction with the GSVP Coordinators, to ensure that all clubs and independent student groups have the required number of members complete the training.

7.12.6. If a club or independent student group does not complete their training by the last week of November the VP Student Life, in conjunction with the AVCs will email the club or group to notify them again of the required training and consequences of not completing the training. They will be offered the ability to arrange a training session in December.

7.12.7. If a club or independent student group does not complete their training prior to the beginning of the winter semester, their club status will be suspended and they will lose their ability to receive SSMU funding or book spaces through SSMU. Their suspension will not be lifted until the required number of members complete the training. The suspension will be removed after the end of the academic year.

## 8. Support

8.1. SSMU acknowledges the existing sexual violence support services on campus and in the community, which include but are not limited to, the Sexual Assault Centre of McGill Students' Society (SACOMSS), the Office for Sexual Violence Response, Support and Education (O-SVRSE), Nightline McGill and the Montréal Sexual Assault Support Centre.



8.2. O-SVRSE may also be a valuable point of contact for individuals who have experienced gendered violence. Additionally, some services at SSMU currently provide support to those who experience gendered violence. These include SACOMSS, QM (Queer McGill) and UGE (Union for Gender Empowerment).

8.3. SSMU recognizes that its role is to further support, rather than replicate, these services and direct individuals to them if they are seeking resources.

8.4. It is the responsibility of the Vice-President External Affairs to continuously update the SSMU website with information on the various on and off campus support resources and the accommodation options available.

8.5. It is the responsibility of the Vice-President University Affairs to create and update any Academic Rights Campaigns and Resources to include a section for individuals who experience gendered and/or sexual violence.

8.6. SSMU acknowledges the emotional labour that one performs while providing support to others who have experienced harm and encourages those providing support to seek support for themselves if they feel it is necessary. If needed these individuals can reach out to the AVCs who will connect them with other appropriate resources at McGill and in the broad community. If the AVCs feel as though they need support, they can contact the HR Manager who will connect them with appropriate resources.

## 9. Advocacy

9.1. SSMU is committed to advocating for a holistic approach to addressing campus sexual violence that includes prevention, support and survivor-centric disciplinary processes.

9.2. In the Fall of 2017, the SSMU Legislative Council passed [a motion](#) acknowledging the existence of rape culture on campus and committing to use the [OurTurn National Action Plan](#) as a guiding document in all anti-sexual violence advocacy efforts. They also committed to creating a student-led OurTurn McGill taskforce to serve as a consultative body in all SSMU anti-sexual violence work.

9.3. In all anti-gendered and anti-sexual violence advocacy work SSMU commits to:

9.3.1. Advocating for more resource allocation to support services on campus, particularly O-SVRSE and to better support individuals with intersecting marginalized identities;

9.3.2. Advocating for an intersectional approach to gendered and sexual violence by way of recommending the inclusion of representatives from marginalized groups, who are interested and have the capacity to participate in various SSMU and administrative committees;



9.3.3. Advocating for survivor-centric reforms to both campus policies and provincial legislation;

9.3.4. Contextualizing experiences of gendered violence and sexual violence within the broader systemic structures of rape culture;

9.3.5. Consulting survivors of campus gendered violence and sexual violence and campus stakeholders actively engaged in anti-gendered violence work anti-sexual violence work;

9.3.6. Holding the institution of McGill accountable for violations of survivors rights or sexual violence response processes that violate the provincial [Bill 151 An Act to Prevent and Fight Sexual Violence in Higher Education Institutions](#).

9.4. It is the responsibility of all members of the SSMU Legislative Council, including SSMU officers, to uphold and advocate for the rights of survivors as enumerated in the SSMU [Survivor's Bill of Rights](#).

9.5. SSMU holds no jurisdiction over University disciplinary procedures and processes; however the VP (University Affairs) is empowered under this article, in conjunction with the GSVP coordinators, to receive anonymous information regarding members of faculty, staff and administration who commit acts of gendered and sexual violence.

It is the responsibility of the Vice-President University Affairs, with the consent of the individuals involved and respecting requests of anonymity, to share this information with relevant members of Faculty, Disciplinary Officers and/or McGill administrators who enforce [the McGill Policy Against Sexual Violence](#). Reports forwarded by the VP University Affairs will not result in a complaint process. However, the purpose of section 9.5 is to provide its members with alternative options to make instances of harm known to the university.

9.6. It is the responsibility of the Vice-President External to create an OurTurn McGill taskforce, which includes an external chair, who is not an Officer of SSMU. They must receive financial compensation and are primarily responsible for the coordination of the task force.

9.7. The OurTurn McGill Taskforce is independent of the GSVP or the procedures within the complaint processes. Their mandate, outlined in section 9.10, is primarily to harmonize advocacy efforts on campus and inform SSMU anti-sexual violence efforts.

9.8. This policy recommends that the task force be composed of students from the following groups:

9.8.1. Equity Commissioners from every faculty association, as well as SSMU;



9.8.2. Members at large;

9.8.3. Representative(s) from SACOMSS;

9.8.4. Representative(s) from O-SVRSE;

9.8.5. Representative from PGSS (Post-Graduates Students' Society of McGill University).

9.9. To ensure that the task force is able to gain a diverse range of perspectives and experiences the task force should include representation from underrepresented communities who are often adversely impacted by gendered and sexual violence. This includes but is not limited to reaching out specifically to members from BSN, ISA, QM, UGE and other groups who express interest.

9.10. The mandate of this task force is:

9.10.1. Harmonize all student-led initiatives on campus around gendered and sexual violence prevention;

9.10.2. Create a culture of consent on the McGill campus through education and events coordinated by the taskforce;

9.10.3. Continuously communicate with OurTurn National;

9.10.4. Act as SSMU's consultative body on anti-gendered and anti-sexual violence advocacy and policy reform with a specific focus on the McGill Policy Against Sexual Violence and Bill 151.

## 10. Response

### 10.1. Distinguishing between Disclosure and Complaint

10.1.1. Under this policy, a disclosure and a complaint are separate processes.

10.1.2. A disclosure is defined as a communication of an instance of gendered and/or sexual violence. In the event of a disclosure which implicates members of the SSMU community, the discloser is encouraged to reach out to the AVCs. The AVCs are mandated to provide survivors with non-judgemental, non-directional support and relevant resources. Furthermore, they must ensure that discloser is aware of all existing avenues for recourse which are available.

10.1.3. A complaint is defined as a formal written report of an act or several acts of gendered and/or sexual violence against an individual within the SSMU community. In the event of a



complaint, the AVCs will follow the procedures defined in section 11 of this policy, in addition to providing resources for support.

10.1.4. A disclosure does not need to be followed by a complaint under this policy. The AVCs must allow for survivors to maintain autonomy in handling disclosures and complaints.

10.1.5. After all disclosures the AVCs will record non-identifying information for the purpose of statistics. These statistics will be anonymously published in a year-end report presented to the Legislative Council prior to their final meeting.

## 10.2. Distinguishing between Informal Resolutions and Formal Resolution

10.2.1. In some circumstances, a discloser may wish to resolve the matter informally in lieu of pursuing a formal complaint, or before the case is referred to a decision maker. The AVCs will facilitate this process of alternative resolution in a survivor-centric manner.

10.2.2. Formal resolution processes require a formal written request, to investigate and address an incident that may have involved gendered and/or sexual violence.

10.2.3. More information regarding the details of each process can be found in section 11.

## 10.3. Accommodations and Interim Measures

10.3.1. Both disclosures and complaints may function as grounds for accommodations. Complaints may function as grounds for interim measures.

10.3.2. If a discloser is employed by SSMU, they may request a minimum of five working days off without penalty or loss of pay. They may also work with the AVCs to request additional time off. The time off will be arranged by the AVCs in conjunction with the HR Manager. They may also request situational accommodations, such as changes in working space. Additionally, the AVCs will assist the discloser in accessing relevant campus resources that can provide other of accommodation

10.3.3. If a complaint is filed, a complainant may request interim measures to ensure their safety and well-being. These may include temporary partial space bans on the respondent, employment scheduling changes, and temporary administrative suspension of a respondent from employment.



## 10.4. Anonymous and Third Party Disclosure

10.4.1. For clarity, a third-party disclosure is understood as a disclosure of an act(s) of gendered and or sexual violence experienced by another individual who the third party witnessed or was told about. For the AVCs to investigate a third party disclosure they require the consent of the third party and the individual who experienced the harm in question.

10.4.2. The AVCs will provide the ability for individuals to submit anonymous and/or third party disclosures in person or through the general online disclosure form. If the disclosure is in person, after the meeting the AVCs will record non-identifying information for the purpose of statistics

10.4.3. This anonymous and/or third party disclosure form, will provide the option for individuals to provide their contact information if they would like to be informed if another individual contacts SSMU with a disclosure regarding the same alleged perpetrator. With the consent of both individuals who disclosed, SSMU may facilitate connecting all those who disclosed regarding the same alleged perpetrator.

10.4.4. The general online disclosure form will allow the individual disclosing to specify how they would like SSMU to respond to the information. SSMU may not launch an investigation without the consent of the individual who discloses.

10.4.5. SSMU does not have jurisdiction over McGill University Faculty and Staff. Pursuant to article 9.5, If SSMU receives any type of disclosure regarding a member of the McGill faculty or staff, with the consent of the individual who disclosed, SSMU through the Vice-President University Affairs working in conjunction with the AVCs who will follow the procedures outlined in section 9.5 of this policy.

10.4.6. SSMU may be unable to proceed with an investigation involving anonymous or third party disclosures due to a lack of evidence, a potential violation of the autonomy and privacy of involved parties, or where proceedings would violate procedural fairness and impede due process. In such cases, the AVCs will consider whether any other steps can and should be taken. In appropriate cases, the AVCs may contact the third party who submitted the allegations to inquire if the individual who experienced the incident(s) of gendered or sexual violence would consider submitting a formal complaint. However, where other sufficient evidence exists and where it would not violate procedural fairness, at the sole discretion of the AVCs, SSMU may decide to proceed with an Investigation. In such cases, the individual who experienced the incident of gendered or sexual violence has the right to not participate in the Investigation or to call for its cessation.



## 10.5. Retaliation

10.5.1. Any reprisal, or expressed or implied threat of reprisal, for reporting an incident(s) or making a complaint about gendered and/or sexual violence under this policy may itself be the subject of a formal complaint and may be subject to interim measures (such as a conduct contract, restrictions from certain SSMU spaces, or other appropriate measures).

## 10.6. Conflict of Interest

10.6.1. If an individual involved in the investigation, complaint process, or sanction enforcement has a real or apparent conflict of interest in a particular matter, or there is a reasonable apprehension of bias, then that individual will not continue their involvement in the matter. They are obligated to inform the AVCs who will make other arrangements.

10.6.2. Any individual, including the discloser, complainant, respondent or a third party may inform the AVCs of a conflict of interest, who will then investigate and decide if appropriate next steps are required.

10.6.3. In the event of a conflict of interest with the AVCs, the discloser may seek recourse, following the policy, directly to the HR manager who will also be able to administer the policy.

10.6.4. In the event of a conflict of interest with the HR Manager, the discloser may work with the AVCs to seek recourse, following the policy, directly to the General Manager who will also be able to administer the policy.

## 10.7. Respecting the Dignity of Disclosers and Complainants

10.7.1. In accordance with the survivor-centric approach that this policy adopts, at no point in the disclosure, or in the informal or formal resolution processes, shall the discloser be asked questions or subjected to discussions regarding their character and choices including but not limited to prior sexual activity, sexual orientation and gender identity.

10.7.2. SSMU acknowledges the central importance for all parties – the discloser, complainant and/or respondent - to be informed throughout the informal and formal resolution process(es). This policy has outlined various points of the informal and formal resolution processes where the AVCs will communicate information to the parties. However, at any point the parties may contact the AVCs to receive information, barring confidentiality requirements, about the case.



10.7.3. At any point, a complaint may withdraw their complaint and end the informal or formal complaint process(es). If a respondent decides to not participate in the complaint process, the formal complaint process may still be initiated and decided upon. They will receive at various points the opportunity to provide evidence for the investigation and/or write a statement to the GSVP committee. It is up to their discretion whether they submit documents.

## 10.8. Specific Immunity

10.8.1. SSMU recognizes that some individuals may be hesitant to disclose or report sexual violence in cases where they have committed minor breaches of the SSMU Employee handbook. An individual or community member acting in good faith who discloses or reports an incident(s) of gendered and/or sexual violence will not be subject to sanctions for violations of other SSMU policies related to the minor breach(es) at the time that the incident(s) took place.

## 10.9. Coercion and Power Relations in the SSMU Context

10.9.1. In the context of SSMU any individual who uses their position as a political representative of SSMU, employee of SSMU or status within a club, ISG or service to coerce or manipulate an individual into sexual activity is committing an act of sexual violence by abusing their position of authority, and thus falls under the jurisdiction of this policy.

10.9.2. It is important to note that this does not explicitly ban all relationships between executives and students, or between employees. However, it does ban relationships that develop due to an abuse of power.

10.9.3. If an employee is put in a position where they are involved in the hiring, selection, or evaluation of an individual with whom they have had an intimate relationship, they are obligated to inform the AVCs and HR of this conflict of interest and recuse themselves from the process.

10.9.4. Furthermore, should a relationship develop between an individual in power and one of their subordinates, it is the duty of the former to notify the AVCs.

## 10.10. Confidentiality

10.10.1. The AVCs will make every reasonable effort to maintain confidentiality when it becomes aware of an incident(s) of gendered and sexual violence and will limit disclosure of information about individuals to those who are responsible for administering and enforcing the policy in that specific.



10.10.2. Under the following circumstances, however, SSMU may face additional legal obligations and may not be able to guarantee complete confidentiality if:

- a) An individual is at risk of self-harm;
- b) An individual is at risk of harming others;
- c) Members of the University community or the broader community may be at risk of harm; and/or
- d) Investigation or reporting to authorities where required by law (the following list of examples is not meant to be exhaustive: an incident involving a minor, obligations related to occupational health and safety, human rights legislation and/or community safety).

10.10.3. While all documents produced in the informal and formal resolution processes will be required to be kept confidential, this does not limit the discloser's right to speak openly about their experiences for the purpose of seeking support or maintaining their safety and the safety of others.

## 10.11. Advocates and Support Persons

10.11.1. Both parties to an informal or formal process have the ability to have a support person, any individual chosen by them, present throughout the process. The support person may not speak for either party during formal process.

10.11.2. Both parties to an informal or formal process have the ability to have a personal advocate, present throughout the process.

10.11.3. Prior to any proceeding the complainant or respondent must identify their advocate and/or support person to the AVCs.

## 10.12. Concurrent Complaints

10.12.1. This policy and the formal complaint process do not prevent and is not intended to discourage an individual from also reporting gendered and/or sexual violence through external mechanisms such as the criminal justice system, the McGill Policy Against Sexual Violence, the McGill Student Code of Conduct and the Human Rights Tribunal of Quebec pursuant to the Quebec Charter of Human Rights and Freedoms. Rather, it seeks to fill existing gaps in recourse for survivors.

10.12.2. It is important to note that under 1.3.1 of the McGill Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law, concurrent complaints of Harassment cannot be filed. Consequently, if a complaint is filed under the SSMU GSVP, the individual will



not be permitted to pursue complaints under the McGill Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law.

10.12.3. While we acknowledge that acts of gendered and sexual violence can implicate other forms of violence, including the grounds for discrimination outlined under the SSMU Equity Policy, complaints about the same incident cannot be filed concurrently under the SSMU GSVP and the SSMU Equity Policy.

10.12.4. Individuals may file separate complaints about different incidents of violence committed by the same individual or several individuals under both policies concurrently.

10.12.5. In the event that an individual wishes to file a complaint against a SSMU club or service as opposed to against another individual, they must pursue a complaint under the SSMU Equity Policy.

10.12.6. Should an individual feel that their experiences are covered by both the SSMU GSVP and the SSMU Equity Policy, they may contact either the AVCs or the SSMU Equity Commissioners in order to arrange for a joint meeting to discuss the options available.

## 10.13. Club Responses to Gendered and Sexual Violence

10.13.1. All clubs, ISGs and services fall under the jurisdiction of the SSMU Gendered and Sexual Violence Policy.

10.13.2. This does not limit the ability for a club, ISG or service to create an internal policy to respond to gendered and sexual violence. However, these policies must mention the existence of the SSMU GSVP, and cannot contradict or obstruct the procedures outlined under the SSMU GSVP.

10.13.3. Any internal policies created by clubs, ISGs, or services must be reviewed and approved by the AVCs to ensure that they are in accordance with the SSMU GSVP.

## 10.14. Summer Implementation

10.14.1. While timelines and procedures are set out within this policy, it is important to note that the absence of many students over the summer poses a series of limitations on its enactment.

10.14.2. Given the potential absence of Board and community members over the summer, GSVP Committee meetings may be conducted remotely via Skype or other online platforms. Additionally, in these circumstances, communications may be carried out online.



10.14.3. Exceptionally, timelines for formal complaints may also be extended as a result of these absences. However, the complainant must be notified of this ahead of time.

## 11. Procedures

### 11.1. Disclosure

11.1.1. If an individual believes they may have experienced gendered and/or sexual violence, they may disclose to the AVCs who must provide them with appropriate resources in a non-directional manner.

11.1.2. The AVCs may not take any action through accommodations, informal or formal resolution processes without the consent of the individual disclosing unless legally obligated to do so as stipulated in section 10.10 of the GSVP.

11.1.3. The AVCs must inform the discloser that non-identifying information will be recorded for the purpose of statistics.

### 11.2. Informal Resolution Process

11.2.1. Should the discloser feel that an alternative resolution prior to pursuing a formal complaint process would be appropriate, the AVCs would facilitate this process.

11.2.2. Prior to proceeding with an informal resolution, the AVCs must assess the situational needs of each party, with particular focus placed on the safety of the survivor. For this process to be meaningful, participants must engage voluntarily and remain free from reprisal. At any stage during the process, the discloser may indicate they would like to end the informal process and file a complaint to initiate a formal resolution process.

11.2.3. Where the alternative resolution process involves the respondent, the AVCs will take steps to ensure that the circumstances of any meeting will appropriately protect the dignity of the discloser through accommodations that continue to allow their participation. Accommodations that may be considered include: providing separate rooms before the meeting; alternate means of participation such as telephone, video, pre-recorded answers and statements; prepared written responses; the opportunity to have a support person present; and other appropriate accommodations.

11.2.4. The outcome of an alternative resolution process must be agreed upon by both parties in writing. Outcomes can include, but are not limited to: apologies and impact statements;



mandating anti-oppression and/or educational training for the respondent; restorative and transformative justice processes; negotiations of accommodations; and any other forms of recourse or accountability which both parties agree to, provided that the AVCs is capable of enforcing their enactment. It is important to acknowledge that SSMU may not have the capacity to facilitate restorative justice processes, but can work with the individuals involved to seek out these processes within the larger Montreal communities.

11.2.5. Both parties will agree to the enactment of the informal resolution in writing. Should the terms of this resolution be violated by the respondent, the discloser may request another alternative resolution or file a formal complaint. The AVCs will be the discloser's point of contact in this event.

### 11.3. Initiating a Formal Resolution Process

11.3.1. Formal complaints must be submitted in writing. However, the AVCs can write the complaint on behalf of the complainant if they are present and requesting this form of accommodation.

11.3.2. If an anonymous formal complaint is submitted, the AVCs are tasked, in the appropriate circumstances as outlined in section 10.4, with initiating the formal resolution process.

11.3.3. Formal complaints must include identifying information regarding the incident(s), the identity of the respondent and their relationship to SSMU, as well as any documentation relevant to the incident, which may include but is not limited to: screenshots; written or online exchanges; photographs; written testimonies; witness contact information and recordings.

11.3.4. Upon receiving a formal complaint the AVCs will, if possible, contact the complainant to confirm that the complaint process has begun and notify them of any action that is being taken within 48 hours and ask the complainant if they require interim measures.

### 11.4. Interim Measures

11.4.1. Upon filing a formal complaint the complainant may arrange interim measures with the AVCs, pursuant to Section 10.3 of this policy.

### 11.5. Investigation

11.5.1. If the AVCs feels that there is adequate evidence to launch an investigation (including previous complaints submitted regarding the respondent), they will come to a decision and contact the petitioner within one week of receiving the complaint.



11.5.2. The AVCs will contact the complainant to inform them of the decision made. At this point, the complainant will be told that they can submit additional evidence if they feel that it is necessary, particularly if the original evidence submitted was deemed inadequate.

11.5.3. If an investigation is launched, both the complainant and respondent will be notified by the AVCs.

11.5.4. The AVCs, will determine the appropriate next steps for the investigation, whether it be an external investigation or conducted by the AVCs. In most cases, formal complaints against employees and SSMU political representatives will be investigated by an external third party, unless it is deemed unnecessary by the AVCs. Third party investigators will be identified and contacted at the beginning of each academic year, and will be contacted again in the instance of an investigation. SSMU will cover the cost of these investigations.

11.5.5. For cases that are not investigated by a third party, including those filed against visitors and club, ISG and service members they will be investigated by the AVCs. If it is deemed necessary, the AVCs will collaborate with SSMU Security to conduct the investigation.

11.5.6. If the AVCs are involved in conducting the investigation, there will be a separation of the roles of each of the AVCs. Specifically, one AVC will be tasked with facilitating the complaint process and communicating with both parties. The other AVC will be independently tasked with conducting the investigation, and collaborating with SSMU Security if necessary.

11.5.7. An investigation conducted by the AVCs should take no longer than 2 weeks, unless the complainant consents to a longer timeframe. An investigation conducted by a third party should take no longer than one month. In exceptional circumstances, this deadline may be extended by the AVCs.

11.5.8. The purpose of an investigation is to: gather evidence and witness statements; weigh the evidence; make findings of fact based on the evidence; and produce an investigative report. In an investigation under this procedure, the investigator must outline the evidence, their findings, and conclude, weighing the evidence on a balance of probabilities, either: (1) that gendered and/or sexual violence did occur; or (2) that gendered and/or sexual violence did not occur.

11.5.9. A report produced by a third party investigator will be provided to the AVCs who will take the appropriate next steps in the following circumstances:

- a) In the instance that the report does not substantiate the complaint, the AVCs will communicate this to the complainant and respondent who will each receive a confidential copy of the investigative report. Either party may seek review of the



investigative report by a panel of three members of the GSVP Committee who may unanimously decide to overrule the investigative report.

- b) In the instance that the report does substantiate the complaint, the AVCs will communicate this to the complainant and respondent who will each receive a confidential copy of the investigative report. The AVCs will contact the members of the GSVP Committee to arrange the panel to review the report and determine sanctions.

## 11.6. Composition of GSVP Committee

11.6.1. The GSVP Committee, comprised of six McGill students, will be selected in the two weeks following the fall General Assembly, and will include:

- a) 2 members from the Board of Directors, who are not SSMU Executives, who will be selected by the Board of Directors;
- b) 2 representatives who are employees at SACOMSS, who will be selected by the SACOMSS membership;
- c) 2 student members-at-large from the SSMU community, who will be selected by the AVCs as a result of the open application process begun prior to the Fall GA.

11.6.2. All six members of the GSVP Committee will participate in a day-long training on anti-oppression, sexual violence and responses to trauma, and the GSVP, arranged by the AVCs in partnership with community groups, including O-SVRSE. Members of the GSVP Committee may opt out of sections of training if they have already completed it in other contexts within the last year, at the discretion of the AVCs.

11.6.3. The AVCs must take into account SSMU's commitment to support and inclusion for marginalized groups during this selection process. Recruitment must involve outreach to student groups which represent marginalized students.

11.6.4. The GSVP Committee will be scheduled to meet every two weeks to review complaints referred to them, if there are no complaints the meeting will be cancelled.

11.6.5. Given the potential absence of Committee members over the summer, meetings may exceptionally occur online.

11.6.6. The GSVP Committee will be held to a high standard of confidentiality. Details regarding specific complaints and implicated parties cannot be publicly shared by Committee



members. Failure to meet this expectation will result in removal from the Committee, and if applicable, will be reported to the Board of Directors or SACOMSS by the AVCs.

## 11.7. Review and Sanctions by the GSVP Committee

11.7.1. For each complaint that is investigated which requires review, the AVCs will take steps to arrange a committee meeting on the same day that they contact the complainant and respondent regarding the status of the investigation.

11.7.2. Each complaint referred to the Committee will be considered and deliberated on by the GSVP review panel. A review panel will consist of three of the six members of the Committee. There must be one representative from each group listed in 11.6.1.

11.7.3. The three members of the GSVP Committee who are not on the review panel for that specific complaint will form the appeals panel for the same complaint.

11.7.4. This committee will be arranged by the AVCs, who will present them with the formal complaint and confidential investigative report in writing, not via email. This may be disregarded if a committee meeting is happening remotely over the summer. The committee will read the report during that meeting. During the meeting the review panel will be informed of their obligations to maintain confidentiality.

11.7.5. To ensure procedural fairness, the respondent and complainant will both have the opportunity to submit in writing to the Committee a response to the report, as well as comments on a desired sanction(s).

11.7.6. With information solely from the investigative report and the responses from the two parties, the committee will decide whether there is enough information to determine if act of gendered and/or sexual violence occurred and the sanctions (as listed in 11.7) to be imposed. This decision must be endorsed by the majority review panel who will write a final GSVP Committee Complaint report during that meeting.

11.7.7. SSMU holds that the health and safety of complainants in this process, including their mental health and psychological well-being, are paramount. Consequently, the AVCs will ensure that they are communicated both the investigative and committee report in its entirety.

11.7.8. A summarized version of the committee report, including the name of the respondent, the violation of the GSVP and sanctions imposed will be communicated to all individuals required to enforce the decision. The name of the respondent will be anonymized, unless it is required to be included to ensure proper enforcement of the decision.



## 11.8. GSVP Sanctions

11.8.1. Due to the nature of the SSMU jurisdiction, the sanctions that can be imposed by the SSMU GSVP Committee vary.

11.8.2. For a visitor who is a non-SSMU member, to be enforced by the SSMU security manager in conjunction with the AVCs:

- a) Letter of apology;
- b) Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors
- c) Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.

11.8.3. For a SSMU member, to be enforced by the SSMU security manager in conjunction with the AVCs:

- a) Letter of apology;
- b) Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c) Restrictions related to accessing the SSMU building, other leased spaces or SSMU events;
- d) Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs.

11.8.4. For a SSMU member who is also a member of a club, ISG, or service, to be enforced by the SSMU security manager and/or the VP Student Life in conjunction with the AVCs:

- a) Letter of apology;
- b) Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c) Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.
- d) Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e) Restrictions related to accessing club, service, and ISG spaces, including events.
- f) Restriction from participation in a club, service, or ISG, including removal from executive positions.

11.8.5. For a SSMU employee, including the General Manager, to be enforced by the Human Resources Manager in conjunction with the AVCs:



- a) Letter of apology;
- b) Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c) Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.
- d) Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e) Administrative leave or suspension without pay;
- f) Dismissal from their position at SSMU.

11.8.6. For members of Legislative Council, Judicial Board, the Board of Directors, or the SSMU Executive team, to be enforced by the relevant body in conjunction with the AVCs:

- a) Letter of apology;
- b) Letter of behavioural expectations signed by the respondent, AVCs and other appropriate enforcement actors;
- c) Restrictions related to accessing the SSMU building, other leased spaces or SSMU events.
- d) Mandated anti-oppression or anti-sexual violence training coordinated by the AVCs;
- e) Administrative leave or suspension without pay;
- f) Dismissal from their position at SSMU.

11.8.7. It is important to note that any limitation to space must be a response to the needs of the complainant and the incident. Specific spaces bans are encouraged. Banning an individual from the SSMU building in its entirety must be approached with caution as SSMU offers many services that respondents may need for their own health and safety, such as the Legal Information Clinic or the Peer Support Centre.

## 11.9. Enforcement

11.9.1. The AVCs has the obligation to communicate the Committee's decision to the appropriate actors and bodies, who will also maintain confidentiality in the steps that they take.

11.9.2. If the complainant has concerns regarding the quality of enforcement, they can contact the AVCs in order to reinforce or escalate sanctions.

11.9.3. The SSMU Constitution currently requires that the Board of Directors approve any dismissal of the General Manager. In the instance that the GSVP Committee recommends the dismissal of the General Manager the AVCs will inform the Board of the GSVP Committee's decision and request that they vote to enforce the decision. This meeting will not entail any



discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the Board is to enforce the decision which was made by trained representatives.

11.9.4. The Quebec Corporations Act requires that any member of the SSMU Board of Directors or Executive Team be dismissed through a two-thirds majority vote at a Board meeting. In this instance, the AVCs will inform the Board of the GSVP Committee's decision and request that they vote to enforce the decision. This meeting will not entail any discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the Board is to enforce the decision which was made by trained representatives.

11.9.5. The Quebec Corporations Act further requires that any dismissal of an officer is ratified by the SSMU General Assembly. In this instance, the officer who the Board has voted to be dismissed will be suspended and an emergency GA will be called. In this instance, the AVCs will inform the GA of the GSVP Committee's decision and Board of Directors decision and request that the GA vote to enforce the decision. This meeting will not entail any discussion of a specific incident details, a complainant's identity, or the legitimacy of an instance of gendered and/or sexual violence. The role of the GA is to enforce the decision which was made by trained representatives.

## 11.10. Appeals

11.10.1. An appeal is not an opportunity for the complainant or the respondent to repeat the information provided to the GSVP Committee. The right to an appeal is not automatic and an appeal will only be considered if it meets the following requirements:

- a) The appeal is submitted by either the petitioner or the Respondent;
- b) The appeal must be made within five business days after the date of the final decision that is the subject of the appeal;
- c) The appeal includes the reasons for the appeal, the reasons why the appeal should be granted, the arguments in support of the appeal and the outcome sought;
- d) The appeal must demonstrate that:
  - i) There has been a fundamental procedural error in the making of the final decision and that such error has caused or will cause actual prejudice to the person seeking the appeal, or
  - ii) There are new facts relevant to the final decision that were not available and could not have been provided to the investigator of GSVP review panel.



11.10.2. The following is a non-exhaustive list of some examples of situations where an appeal would not meet the requirements of this paragraph:

- a) The appeal repeats arguments made at the meeting of the review committee or in written submissions and does not provide any new information relevant to the final decision;
- b) The appeal is based only on a disagreement with a finding of fact, including findings made about the credibility of witnesses;
- c) The appeal raises new arguments that were not made, but could have been made at the GSVP panel meeting
- d) The appeal amounts to a mere speculation or a bald statement of a procedural error causing prejudice and does not provide detailed and convincing information to establish the error and to establish a link between the error and actual prejudice or a reasonable expectation of prejudice to the person seeking the appeal.

11.10.3. The request for an appeal will be made within five business days of the initial decision, following section 11.9.1.

11.10.4. If an appeal is made, any interim measures implemented during the complaint may be extended for the duration of the appeal.

11.10.5. The appeal will be heard by the appeals panel of the GSVP Committee within 2 weeks of the request. They will review the findings of the initial panel and consider the grounds for appeal, ultimately deciding the outcome.

11.10.6. The appeals panel will provide their decision in writing to the AVCs, who will inform the complainant and respondent within 24 hours.

11.10.7. Upon the appeals decision, the AVCs will take appropriate steps to enforce any relevant sanctions.

## 12. Recording and reporting

12.1. An annual report will be drafted by the AVCs to be presented to Legislative Council at the end of the academic year. It will also be made available to members of SSMU online.

12.2. This report will include:

- a) Information and statistics relating to the frequency of disclosures made to the AVCs, including distinctions between anonymous and third-party disclosures;
- b) Documentation of initiatives, programs and other efforts made by SSMU to prevent and respond to sexual violence;



**Students' Society of McGill University**

Tel: (514) 398-6800 | Fax: (514) 398-7490 | ssmu.ca

3600 McTavish St., Suite 1200, Montréal, QC, H3A 0G3

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- c) Information and statistics relating to the frequency of formal complaints made and non-identifying information the sanctions enforced;
- d) The implementation and effectiveness of this Policy, including challenges experienced by the AVCs and recommendations for ways the policy can be better implemented.

## 13. Review

13.1. The SSMU will review this Policy one year after it comes into effect in consultation with the membership and stakeholders, and at least every two years following.