



Legislative Assembly
of Ontario

First Session, 41st Parliament

Assemblée législative
de l'Ontario

Première session, 41^e législature

Official Report of Debates (Hansard)

Tuesday 19 May 2015

Journal des débats (Hansard)

Mardi 19 mai 2015

**Select Committee
on Sexual Violence
and Harassment**

Strategy on sexual violence
and harassment

**Comité spécial de la violence
et du harcèlement
à caractère sexuel**

Stratégie de lutte contre
la violence et le harcèlement
à caractère sexuel

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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**SELECT COMMITTEE
ON SEXUAL VIOLENCE
AND HARASSMENT**

**COMITÉ SPÉCIAL DE LA VIOLENCE
ET DU HARCÈLEMENT
À CARACTÈRE SEXUEL**

Tuesday 19 May 2015

Mardi 19 mai 2015

The committee met at 0902 in the Waterfront Hotel Downtown Windsor, Windsor.

**STRATEGY ON SEXUAL VIOLENCE
AND HARASSMENT**

The Chair (Ms. Daiene Vernile): Good morning, everyone. The Select Committee on Sexual Violence and Harassment will now come to order. I'd like to welcome all of the presenters and the guests who are here with us today.

Let me start by stating the mandate of this committee. We're here to listen to your experiences—survivors, front-line workers, advocates and experts—on the issue of sexual violence and harassment. You are going to inform us on how to shift social norms and barriers that are preventing people from coming forward and reporting abuses. However, I do want to stress that we do not have the power as a committee to investigate individual cases. That is better left to the legal authorities.

I welcome you.

LEGAL ASSISTANCE OF WINDSOR

The Chair (Ms. Daiene Vernile): I would ask that our first presenter come forward. Please make yourself comfortable. You will have 20 minutes to address our committee, and that will be followed by questions. Please start by stating the name of your organization and your name.

Ms. Shelley Gilbert: My name is Shelley Gilbert. I'm the coordinator of social work services at Legal Assistance of Windsor and the chair of WEFiGHT, which is an anti-human-trafficking initiative here in Windsor and Essex.

I'd like to thank the Select Committee on Sexual Violence and Harassment for the invitation to speak with you about our work, and to provide, as a result of our experience in working with survivors of human trafficking, recommendations based on best practice.

A community-based steering committee has existed in Windsor and Essex since 2004, and Legal Assistance of Windsor has acted as the lead organization for WEFiGHT since approximately 2008. As you may know, Legal Assistance of Windsor is a community-based legal clinic which employs lawyers and social workers while

providing internships to law and social work students from the University of Windsor.

As we began working with survivors, we recognized their experiences required integrated support services, recognizing and advocating for both the survivor's legal and psychosocial needs with equal importance. We recognized the horror of their experience would have to be articulated to government bodies such as immigration, law enforcement and the criminal justice system, and that survivors needed strong advocates to stand beside them and ensure their voices were heard. Through joint efforts of law and social work, advocacy and psychosocial supports assist survivors to move through these various systems while developing strategies to heal from their experiences.

As such, we have assisted both internationally and domestically trafficked men, women and children, and have established strong community protocols with our partners to assist in providing basic needs such as accommodations, food, clothing, and crisis and counselling services.

The Canadian idea or perception as to what constitutes human trafficking has slowly evolved over the last 10 years and must continue to do so. As a result of education and a changing perception, our office has had the privilege of working with and supporting women and girls who have experienced abuse, harassment and exploitation in their workplace; were forced to marry and become enslaved at ages as young as 14; and those abused and exploited in the sex trade industry.

Whether internationally or domestically trafficked, these women have common needs: They must be heard and believed; they must have supportive and professional services with the experience and knowledge to advocate effectively; they must be provided the opportunity and the time to heal; and they must have the opportunity to move forward with their lives through work and/or retraining.

According to the RCMP's Human Trafficking Co-ordination Centre's newsletter of February 2015, over the past 10 years there have been 85 completed human-trafficking-specific cases where convictions were secured, and 151 individuals convicted of human-trafficking-specific or human-trafficking-related offenses, such as forcible confinement, sexual assault and living off the avails.

There are currently 143 cases before the courts. As of 2013, over 90% of these involved domestic human trafficking, Canadian girls and men, and only three charges have ever been laid under the Immigration and Refugee Protection Act. Whether we agree that these are too few convictions or not, there are two resulting realities that form the basis of two of our recommendations. Although Canada is a destination country, internationally trafficked women are seriously under-represented in these statistics. The reality is, women with precarious status are afraid to come forward to police due to the potential of being turned over to the Canada Border Services Agency, detained and deported.

Immigration status should have no bearing or effect on contacting local police enforcement. Women in Canada, regardless of immigration status, must know that they can rely on police to protect us. This was not the case for one of our clients at Legal Assistance of Windsor, who was deported by CBSA after calling the police on her trafficker, and it may not be for any of the 11 women recently in Ottawa who were found working in massage parlours in April of this year. We strongly recommend that police services around the province implement a “don’t ask, don’t tell” type of policy regarding immigration status for all victims of crimes of violence.

The other reality is that although convictions help a victim to feel some level of closure and justice, a conviction is not ongoing, supportive counseling, retraining or case management services. Our second recommendation is that professional services receive ongoing and stable funding and that funding moves from providing education to providing service provision, crisis management and ongoing counselling services.

The elements that I provide here are in plain-language descriptions based on the legislation you saw previously. I’d like to provide some examples of these elements by articulating each in relation to young women that we’ve worked with. I’m of course using aliases.

Mary was recruited by a friend over Facebook at 16 years old. She was told by a girlfriend that she had met in a group home that the girl’s boyfriend’s friend liked her pictures and that he wanted to meet her. After texts and phone calls with the young man, she agreed to meet him. For over two months, she was forced to prostitute in cities across our province and service between seven and 10 men a day, seven days a week.

Charlotte wasn’t moved to another city, but she was moved from hotel to hotel and apartment to apartment throughout Windsor. Although she was involved with the Children’s Aid Society, she was afraid to be left alone on the streets of Windsor and felt that she had no one to help her.

Sarah’s trafficker was the father of one of her children, and he kept the child from her with his family in their country of origin. He used this as a means to coerce her into the sex trade industry. If she did what he demanded in the sex trade and she gave him access to her, he would allow her to speak with their daughter on the phone. He kept Sarah hoping and working in the industry through his promise of bringing their child to Canada.

0910

All of these women and others we know were exploited and enslaved. They were forced to work against their will, and their money was taken. They were hurt physically and emotionally, and they continue to live with the effects of their experience today.

Supply and demand factors, such as the feminization of poverty around the world and Canada’s demand for cheap labour, have contributed to slave-like conditions for many of the women we’ve worked with who are experiencing forced labour. Women desperate to feed and care for their children and families risk everything to come to Canada, but many discover, too late, that they have been deceived and are being exploited for their labour. They feel they have nowhere to turn for help. Constant threats of deportation would mean there would be no way to feed their children, or at times emotional and physical violence forces their compliance.

One woman we work with currently was enslaved in several countries, including Canada, for over 15 years. She was paid between \$50 and \$80 a month and worked seven days a week, 12- and 15-hour days. She was physically and emotionally exhausted. She was assaulted by the teenage children she had cared for since they were infants. She was yelled at and threatened by the employers. She had nowhere to turn and had no idea what to do. Charges have never been laid against her employers.

Her experience leads us to the third recommendation: Law enforcement, crown attorneys and immigration officers should receive specific training and education about forced labour practices and how economic intimidation and threats of deportation are often used as means of coercion to exploit people.

Throughout the criminal justice system and the many shelters across the country and province, many women who have been trafficked through marriage are recognized as being victims of domestic violence, and they are. However, further investigation and an understanding of their situation would lead to a recognition of how women are trafficked through marriage.

We have worked with women in hiding who have told us about their brothers hoping to sell them for upwards of \$45,000. We have worked with girls who have been used to pay off family debts and young girls whose families were desperate to feed their other children during times of war. The symptoms of trauma they experience are significant, and in some ways are different from other domestic violence survivors. Their youth, culture and immigration needs all must be considered when providing support and advocacy.

Dedicated education and training must be provided to shelters, to law-enforcement and newcomer-serving agencies as to what constitutes trafficking through marriage, the signs and how to interview potential survivors with a deeper lens. We also recommend that guidance counsellors, social workers in schools, teachers and young people learn about all types of human trafficking, and young women in Canada are provided the support they need to come forward.

Traffickers are preying on women's vulnerabilities in Windsor and Essex and in communities across our country. Poverty, family violence, precarious immigration status and a continued sense of apathy, or at the very least a lack of education about why young women are transitioning into the sex trade, why they are running away from group homes, and where they are running to, allows traffickers or pimps to begin grooming young girls for the game, as it's called, at as young as 13 years of age.

Youth-serving organizations, law enforcement, the criminal justice system and anti-human-trafficking initiatives must begin working together and establish community-based collaboratives and protocols that begin supporting girls at risk, assist them to be found and when they are found, and support them throughout the criminal court and/or immigration process, as well as help them to rebuild their lives.

The list of who these individuals are as traffickers continues to lengthen based on the survivors' accounts of their experiences.

As I said earlier, this is an evolving issue and requires those of us who work with survivors to understand that we are learning about this issue from survivors, from the real experts on this issue. If we recognize this, our understanding of each of the elements of trafficking will continue to change and expand as traffickers use various and different strategies to recruit and force compliance on their victims. The controls used are based on the particular victim they have in front of them and their knowledge of what she cares about.

I spoke about Mary earlier. After escaping from her trafficker, she went back to him because he began threatening to make false allegations about her father to the police. Sarah's trafficker used her need to speak with and keep in contact with her daughter as a form of control. And Charlotte's traffickers used her fear of being on the streets and having no family to turn to.

These changing strategies can be difficult for systems that rely on strict guidelines and policy, that rely on similar facts, or those providers who do not take the time to educate themselves, develop an expertise on the issue and establish a relationship with the survivor. It is our recommendation that police, crown attorneys and service providers commit dedicated resources to the issue of human trafficking and establish the expertise necessary to understand the issue and advocate for survivors.

I'd like to provide a summary of the recommendations and go through each of those, if I may:

(1) Police should encourage all victims to report violence, regardless of their immigration status, by establishing a "don't ask, don't tell" policy.

(2) Stable funding must be established for professional, evidence-based service provision.

(3) Police and crown attorneys should have consistent and dedicated resources with expertise in all areas of human trafficking, including forced labour practices and marriage as trafficking.

(4) Dedicated education and training should be provided to shelters, the education system, newcomer-serving

organizations and youth about trafficking through marriage, including the signs and interview strategies.

(5) Greater collaboration and protocols must be established between youth-serving organizations, law enforcement, the criminal justice system, immigration and CBSA, and anti-human-trafficking initiatives, to begin supporting all women and girls at risk in this country, assisting them to be found and looking for young girls who are running away, supporting them through the criminal courts and/or the immigration process, and helping them to rebuild their lives in Canada if they wish to remain in Canada.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first set of questions for you are from our PC caucus, beginning with MPP Scott.

Ms. Laurie Scott: Thank you very much for appearing here before us today. That's a lot of information.

Ms. Shelley Gilbert: Yes, it is.

Ms. Laurie Scott: But thank you for the work that you do. On Thursday of last week in the Legislature, I brought forward a motion that asked for a more coordinated approach. I don't know if you're familiar with guns and gangs.

Ms. Shelley Gilbert: Yes.

Ms. Laurie Scott: It doesn't have to be exactly the same. What I was trying to say is that it needs to be a coordinated approach across police services, and obviously education is a component.

When you mentioned education—some police services I spoke to said that they're in the elementary schools. Once one of the children gets a cellphone, somehow they get the numbers—take out the vulnerable. When you were talking about education, do you have a sense of what we could be doing? It's delicate in public school. You can't say "human trafficking." Is there any guidance or any experience you've had, or any best practices you know that exist to get the girls early?

Ms. Shelley Gilbert: I think that the education system and group homes are a place where we can make some efforts to talk to young people, both boys and girls, and begin looking at why young people are entering into the sex trade and how the culture and our society now perpetuate some of that activity.

0920

But I think that it's important for young people to hear the realities of the circumstances of the street as well, and of course you do have to do that delicately. We've done a lot of work in high schools, specifically, and in Catholic high schools as well. The young people that we've spoken with have appreciated some of the realities of young people's circumstances on the street. And so I have spoken about the young people, the 16-year-old girls that we've worked with—with their permission, of course—to tell a little bit of their stories.

But I think that we also really have to look at the causes of why young people are moving in that direction, begin looking at that specifically, and not blowing those young people off as troublemakers, blowing it off as just chronic runaways, but really beginning to look at and

change our practices to really begin recognizing why this is happening, in order to stop this from happening in any respect.

Ms. Laurie Scott: I have limited time, so I'll be very quick.

The Chair (Ms. Daiene Vernile): Be very quick.

Ms. Laurie Scott: Which one will I pick? Okay. The organizations that help with employment—I spoke about the fact that a typical shelter is not the spot for these individuals. You might have some areas that you have or maybe you have something in Windsor that's very specific. But the length of time of healing can be very long. We've heard about post-traumatic syndrome. Do you have anybody who does work with employment? We have to get them back into the work world normally, as opposed to going back to their pimps. Do you have a short comment that you could make on this? It's limited time, so—

Ms. Shelley Gilbert: Yes. I mean, financial needs are immediate, and so typically what we've done is that we've developed a protocol with the city of Windsor social services, because initially somebody is probably going to need some assistance. Being able to go from 10 or 15 years or five years under the complete control of a pimp means that they're going to need some opportunity to heal, to do some work, to deal with their physical needs, to deal with their emotional needs, and then begin moving into the workforce or into retraining at that point.

So we have attempted to develop some relationships with retraining services here in Windsor, but it's really based on the assessment of the woman that we're working with and where she wants to go, and whether she's dealing with any other ongoing issues such as addiction, severe PTSD etc. that will lend to where she's going to go after this. But everyone that we've worked with has wanted that as one of their goals, to get into the workforce at some point, and they need the ongoing case management, even when they're in school or retraining, to be able to stay there and deal with crises as they come forward.

The Chair (Ms. Daiene Vernile): Thank you. Our next question for you is from MPP Natyshak.

Mr. Taras Natyshak: Thank you very much, Shelley, for the work that you do, and thanks for presenting here.

I'm looking for precedents. You gave us some great recommendations here. Where do you see a similar "don't ask, don't tell" program as it relates to immigration status and vulnerable women, or men or boys, if that is also a demographic?

You referenced CAS using hotels as temporary refuges or shelters. We know Manitoba is experiencing problems in that. What's the prevalence of that and where have they looked at using other areas where the resource is required?

The consistent, dedicated resources within police and crown attorneys' offices and expertise in all areas of human trafficking: Are the RCMP currently doing that? Where do we find a specialized group dedicated to doing that, and what have the results been in focusing specifically on human trafficking?

Another question to you: You referenced employers under the context of forced labour. Are these traditional employers, legal, recognized employers?

Okay. And if you could give me an example of that in Ontario, where we're seeing high incidences of forced labour.

I think that's going to take up the bulk of my questions, Chair.

The Chair (Ms. Daiene Vernile): You've pretty much taken up all your time.

Mr. Taras Natyshak: Thanks, Shelley. It's a rapid-fire. Go ahead. Thank you.

Ms. Shelley Gilbert: Okay. There are some examples of a "don't ask, don't tell" policy. I'm not going to suggest that any of them are perfect at this point. I think it's something for us to consider and to review. In fact, it's one of the things that I have resources looking at now. Toronto, for instance, has a "don't ask, don't tell" type of policy. I've asked students and researchers from the University of Windsor to do a literature review on that topic as well so that we can see what is working and what is not, around "don't ask, don't tell." I think it can be done and it is being done in different circumstances.

I'm sorry; I don't think I discussed children's aid putting children in hotels, although we know that that happens at times here in Windsor, as it does across the province. But certainly the young people whom we've worked with who have been 16, 17 or 18 years of age have all had children's aid involvement, and so we do have to look at that system. They have been considered chronic runaway girls and kids out of group homes, and the young women whom we've worked with were recruited by other girls they met in group homes. So we do have to look at that system, I think, and look at the resources that are available, specifically to these young women transitioning into the industry or at risk of transitioning into the industry.

We've recently established a very strong relationship with the children's aid society locally and are beginning to look at those issues. How do we find the girls when they're running? We know that they're running up and down the 401 and we know that somebody is running them up and down the 401, so we need to find them when they're gone.

Dedicated resources—I'm sorry; you need to tell me again.

Mr. Taras Natyshak: For police or crown attorneys' offices.

Ms. Shelley Gilbert: Unfortunately, the RCMP has been very, very focused on national security issues. Although they attempt to put resources into this, we're really looking at local police departments. Some police departments across the province have had—Peel, for instance, and York—the highest incidence of convictions as well because they have had dedicated officers who have remained in that department over a period of time. They've established intelligence; they've established relationships with people on the street. As a result, they are able to find vulnerable and missing girls.

Other police departments—Windsor, for instance—have not been able to do that and have not dedicated their resources to that as well. As a result, the officers are doing the best that they can, but often those officers are moving and therefore missing the ongoing intelligence and relationships necessary for a woman to say, “It’s not me, but I’m worried about this girl several rooms down,” from that hotel.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final questions for you are from our Liberal caucus, from MPP McMahon.

Ms. Eleanor McMahon: Hi, Shelley.

Ms. Shelley Gilbert: Hello.

Ms. Eleanor McMahon: Good to see you.

Ms. Shelley Gilbert: Nice to see you.

Ms. Eleanor McMahon: It has been a long time.

Ms. Shelley Gilbert: Yes, it has.

Ms. Eleanor McMahon: I feel old; I don’t know about you. Great presentation. Very informative. My colleagues have done a great job in unpacking some of the pieces so far. What I wanted to talk to you about—you said something I found extremely compelling; well, it was all compelling. It feels a lot like “listen,” “believe” and “validate” are so important to this conversation. The tough-love remedy, which might work in some instances—I’ve heard of young people having doors locked as young as grades 7, 8 and 9, and I’m not sure that that’s an effective tool, is it?

Ms. Shelley Gilbert: I would agree.

Ms. Eleanor McMahon: I would love to have you expand on that domestic human trafficking piece.

Also: “Conviction doesn’t equal counselling”: I wrote it down in my notes. It was a rough translation of what you said. Could you talk about that a little bit? We’ve heard a lot in this committee about the barriers to reporting and coming forward, and while convictions are an outcome of increased reporting—not always; we need to fix that, I guess. We need to do some work in that area. We’re hearing that. Counselling and related services remain important, and sometimes there’s a competition between the two of those things. Maybe that’s the wrong word; I apologize. But do you know what I mean?

Ms. Shelley Gilbert: Yes.

Ms. Eleanor McMahon: Can you help us unpack what that might look like in a perfect world, realizing that the world isn’t perfect?

Ms. Shelley Gilbert: Yes. I think one of the main things that has worked for us is the ability, through WEFIGHT and Legal Assistance of Windsor, to maintain an ongoing relationship for three years with the survivor. We know that the literature and certainly our experience suggest that it’s at least three years of rather intensive case management and support services that people need to be able to come out of the other side of this. We know that it takes upwards of two years at times to even get through the criminal court process. So having consistent and dedicated support services for her through each of the systems that she’s moving through allows us to help ensure that she’s not going back to the pimp; that if he’s

calling her, for instance, we can try and counteract that; to deal with the effects, the emotional effects, and even the emotional effects of going through the criminal court process or going through the immigration process.

Of course, this brings all of those symptoms back underneath the skin, I’d say. And so all of the symptoms that they have buried down start coming back up and then we see tripping and then we see falling back. So it’s very important that we’re able to stay involved and that those people who have established some level of trust are the ones who are able to remain throughout the process.

The Chair (Ms. Daiene Vernile): We thank you very much for appearing before this committee today. We invite you, if you wish, to join our audience.

UNIFOR

The Chair (Ms. Daiene Vernile): I will now call on our next presenters to come forward. They are with Unifor.

Please have a seat and make yourselves comfortable. You will have up to 20 minutes to address our committee, and that will be followed by questions for you. Begin by stating your names, and start anytime.

0930

Ms. Tracey Ramsey: My name is Tracey Ramsey.

Ms. Manon Pageau-Lane: Manon Pageau-Lane.

Ms. Christine Maclin: Christine Maclin.

Ms. Manon Pageau-Lane: Unifor welcomes the opportunity to provide its views to the Select Committee on Sexual Violence and Harassment.

I am Manon Pageau-Lane. I work for the Windsor-Essex Catholic District School Board, with Unifor Local 2458. Our union represents 305,000 members from coast to coast to coast, with 52% of those members living in Ontario. Over 87,000 of our members are women. Our members work in a variety of occupations within nearly every sector of the economy. We work in hospitals, manufacturing, clerical, custodial, retail, education, mining, fishing and forestry. We are pilots, auto workers, nurses, heavy-equipment operators, secretaries and child care workers. Our members are young people, aboriginal people, visible minorities, LGTBQ, seniors and people with disabilities.

Despite the work that has been done over many decades, sexual violence and harassment remain a reality in our lives. A recent Canadian study revealed that one third of women have experienced intimate-partner violence. Our union has been part of an ongoing effort to reduce gender-based violence in our society and, in particular, in our workplace.

We are pleased that the Ontario government’s action plan, released in March of this year, provides concrete measures in a variety of areas to help change attitudes, provide more supports for survivors, and make workplaces and campuses safer and more responsive to complaints about sexual violence and harassment.

We will be focusing our submission on the workplace, but we know that violence and harassment doesn’t start at the workplace door and even end when the perpetrator

walks out. The breadth of the action plan is a positive approach. It's Never Okay: An Action Plan to Stop Sexual Violence and Harassment proposes strengthening the Occupational Health and Safety Act and creating a new code of practice for employers, establishing a special enforcement team of inspectors and the development of educational materials to help create a safer workplace.

While we welcome this attempt to create real tools, we wonder why this will be different from measures and legislative changes in the past. The Ontario Human Rights Code prohibits sexual harassment already. We've bargained anti-harassment language in our collective agreements. This language, along with a joint investigation process, has worked to reduce harassment and violence in the workplace, but it still persists at an unacceptable level.

Our union has advocated on its own and as part of coalitions formed after the workplace murders of Theresa Vince in 1996 and Lori Dupont in 2005 to bring in changes to the Occupational Health and Safety Act, the OHSA. This advocacy resulted in Bill 168, which has been in force since June 2010. But still, sexual harassment and violence exists in the workplace. The coroner's jury recommendations in the inquest into each of these workplace murders outlined many useful steps but still have been largely ignored.

The introduction of additional changes to the OHSA will close some of the loopholes that employers have discovered since the act was amended in 2010. The most glaring of those is the lack of enforcement power of inspectors. As long as an employer can show that they have a policy, the inspector looks no further—it doesn't matter how ineffective the policy is. Workers should call the ministry to file a complaint if it is not being dealt with internally by the employer. Unfortunately, inspectors will only review the workplace policy and procedures, and issue an order only if they are already on-site on another matter. In order to have inspectors able to assess the policy and enforce the proposed changes to the legislation, specialized training will be needed. There must also be an adequate number of inspectors. There is a shortage of health and safety inspectors across the board. We need to ensure that there is an increase in inspectors for all health and safety matters.

Bill 168 clarified that workplace harassment is a hazard covered by the OHSA. However, the new law did not explicitly require employers to take reasonable precautions to control that hazard. Unfortunately, the inspectorate's involvement has been limited to solely checking whether or not the employer has a policy on violence and harassment. No clear rights to protect workers from violence or harassment were created. The new section, 32.0.5(1), reads: "For greater certainty, the employer duties set out in section 25, the supervisor duties set out in section 27, and the worker duties set out in section 28 apply, as appropriate, with respect to workplace violence." Yet enforcement is weak. We see the Ministry of Labour focus their efforts on the employer's management of the problem rather than protecting the victims.

We encourage the government to consider a broader regulatory framework to address the quality of workplace policies and programs. Currently, there are no opportunities for inspectors to judge the quality of the program, implementation and competency of the investigation and adoption of recommendations. The inspectorate must have the ability to ensure that workplace harassment and violence complaints are effectively dealt with by the workplace parties, with an emphasis on ensuring that a resolve is obtained and that hazards are addressed.

In addition, regulations must enable the inspectorate to order the employer to engage qualified investigators to examine the details and deliver recommendations that are enforceable when an employer does not voluntarily and fundamentally comply.

Ms. Tracey Ramsey: My name is Tracey Ramsey and my workplace is Ford Motor Co. I am from Local 200 with Unifor.

We also encourage the government to expand section 52 to include all incidents of violence, regardless of whether they result in physical injury. Currently, the reporting requirements of section 52 do not include many serious incidents of violence which have a profound effect on workers, for example, a worker threatened with a weapon but not physically injured, or a worker restrained by an assailant with sexual misconduct in mind. The law must place obligations on the employer to examine the workplace practices to prevent reoccurrences.

Focus must also be on prevention, not just on complaint-based reaction to sexual harassment and violence in the workplace.

We know that sexual harassment is a continuum. We press the employer to address what is seen as lower-level sexual harassment, for example, the use of gendered, disrespectful language; an example of that is "bitch." When there is a clear message that sexual harassment is not going to be tolerated, incidents are reduced. The union has worked really hard to ensure employers are living up to their obligations in this area.

In addition, no worker is safe if he or she is not protected from discipline when trying to protect their health and safety. Protection from reprisal should be a critical role for the inspectorate, especially when dealing with harassment in the workplace. We expect the law to protect workers from reprisals by investigating their complaints, making orders against employers and by prosecuting those employers who fail to comply.

Language: "domestic violence" versus "intimate-partner violence." We know that the best way to find solutions to a problem is to accurately name the problem. The labour movement pushed for the inclusion of violence and harassment prevention measures in the OHSA. In particular, we pushed for the inclusion of obligations on employers around domestic violence. We are now asking for an update in language. Changing the term to "intimate-partner violence" more accurately reflects this particular experience.

In our experience, our members work in a range of occupations in a range of work settings. While sexual

harassment and sexual violence are experienced across the board, there are some particular challenges in some sectors. In many of our manufacturing workplaces, there is a conflict within the workplace. This is understandable, given the stresses of lean production methods and the economic insecurity that is widespread amongst most of our workplaces. This conflict can escalate to harassment when not handled early and handled well.

We are still seeing a lack of understanding around stalking: persistent, unwanted attention at the end of a consensual relationship, causing a person, or anyone known to the person, to fear for their safety by co-workers—under section 265 of the Criminal Code.

0940

There hasn't been enough of a cultural shift on this. For the most part, this stalking behaviour is not recognized as domestic violence because often the two people are not even in nor have ever been in a relationship. Often, he is the "creepy" guy who develops an obsession. Theresa Vince's case involved an obsessed manager.

In our Women's Advocate program that we're going to discuss further, we show a brief film based on a true story. It shows a male co-worker stalking a married woman who has spurned his advances and gifts. He begins with character assassination in the workplace, then phoning her home and hanging up, then leaving a lily on her vehicle, then finally, flattening her tires in the parking lot. After watching the film, we ask our women's advocates how many think they will be dealing with a similar situation. All of them raise their hands. It is our experience that this is very rarely seen as sexual harassment. It is clearly a gender-based action and should be seen within the category of sexual harassment. We recommend that stalking should be specifically covered under the Occupational Health and Safety Act amendments.

Ms. Christine Maclin: I'm Christine Maclin. I work for Chrysler security. I am a women's advocate and equity rep.

Our promising practices: We are pleased to share some of our promising practices with you, the committee. Our first practice is our Women's Advocate program. We have negotiated women's advocate positions in over 300 of our workplaces, and this is continually growing. A women's advocate is a specially trained workplace representative who assists women with concerns such as workplace harassment, intimate violence and abuse. The women's advocate is not a counsellor, but rather provides support for women accessing community and workplace resources. These specially trained, easy-to-contact workplace representatives have been instrumental in creating healthier workplaces and safer communities. We work closely with management, ensuring strong co-operation to achieve this goal. One of the best tools the union has to prevent violence against women and workplace harassment is our Women's Advocate program.

Violence against women collective agreement language—this is our second practice. The Canadian research report *Can Work Be Safe, When Home Isn't?*

confirmed that intimate-partner violence has an impact on the workplace. The study showed that of those who reported DV experience, 38% indicated it impacted their ability to get to work, including being late, missing work or both. In total, 8.5% of DV victims indicated that they had lost their job because of this. Over half, 53.5%, of those reporting DV experiences indicated that at least one type of abusive act occurred at or near their workplace. Of these, the most common were abusive phone calls or text messages, 40.6%, and stalking or harassment near the workplace, 20.5%.

Recognizing that we have negotiated language in our collective agreements that recognizes that women in abusive situations in their personal lives may also have attendance issues at work, the employer commits to taking these issues into consideration before subjecting these women to discipline for absenteeism.

Our women's advocates play a tremendous role in intervening, even where there isn't collective agreement language. Advocates are able to work with the employer and the worker to ensure safety plans are in place and to ensure that the worker's job is secure while she is able to get assistance in leaving violent relationships.

Our next is our joint investigation process. There are two main areas where employer-only investigations fail: first, in the area of objective and trustworthy investigations. Too often, when the employer conducts their own investigation, they become somewhat self-serving in the protection of their own interests. The second area of shortcoming is penalty. With a joint investigation, the union plays a role in investigating and a separate role for assessment of penalty. Even when there is a valid finding of sexual harassment, the employer's choice of penalty may either be too lenient or too strict. This leads to an undermining of the investigation.

Where there is a joint investigation process for allegations of sexual harassment, there is an increased chance of a positive outcome. We have model language on joint investigations that we bargain with their employers that include training for our investigators and a thorough process for investigation. We produce a reference book for our workplace representatives as well that has step-to-step processes with investigations. We find that trust in the process increases the successful outcomes of investigations. No allegation can be seen in isolation. The allegations take place within the workplace context, and the outcome lives on in the workplace. The joint process decreases backlash against the complainant and can more often lead to positive, systemic resolves.

Our next step: prevention. The committee must make sure that their focus is on the area of prevention of sexual harassment and violence.

Education is vitally important to raising the understanding and analysis of sexual violence and harassment. Unifor pushes for anti-harassment education in the workplace that is facilitated by trained peer educators. We have negotiated employment equity representatives in many of our workplaces who play a positive role for shifting workplace cultures towards respect, including

writing articles in the workplace and union newsletters dealing with anything around prohibited grounds.

Ms. Manon Pageau-Lane: We are encouraged that the government recognizes that we need a broad approach to significant societal issues like sexual violence and harassment. We want to contribute to a constructive process to ensure this plan's success. We believe that some of the steps towards success are contained in this submission. We also believe that in order to be successful the plan must include female workers and labour experts amongst the stakeholders to ensure that real and measurable changes take place.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first questions for you are from MPP Sattler.

Ms. Peggy Sattler: Thank you very much. Thank you for such a comprehensive presentation and some very helpful specific recommendations.

In the original discussion around Bill 168, were some of these issues brought forward that you have identified in this submission and considered by government and then dismissed, or do you know any of the history around the actual language in the Occupational Health and Safety Act amendments that were introduced with Bill 168?

Ms. Tracey Ramsey: To be honest, we weren't specifically part of that process, but our union was part of advocating with the groups that were there, along with Theresa Vince's family and the other families that were involved. So for the three of us to speak on that, we wouldn't know specifically what Unifor asked for in Bill 168, but we could certainly get an answer and bring that back to you.

Ms. Peggy Sattler: Okay. The other question: You talked about the joint investigation process. Currently, in Bill 168, it's an employer-led process?

Ms. Tracey Ramsey: Yes.

Ms. Peggy Sattler: So the differences within Unifor workplaces: Your collective agreement mandates a joint process?

Ms. Christine Maclin: Yes. The joint process is actually collectively done with management and union. In our collective agreements we negotiate that both company and union are doing this investigation, and both receive training at the same time.

Ms. Peggy Sattler: But workplaces that don't have that language in their collective agreement are covered only by Bill 168. In those cases, is it strictly an employer-only investigation?

Ms. Christine Maclin: Unifor members are entitled to call national and local, and the local can set up—even though it may not be in their collective agreement, most employers agree that it is good business to include the union in the process to ensure fairness—

Ms. Peggy Sattler: Yes. I'm thinking of non-union workplaces.

The Chair (Ms. Daiene Vernile): Thank you very much. Our next questions for you are from MPP Dong.

Mr. Han Dong: Thank you, Chair. Good morning, and thank you for the in-depth presentation.

You mentioned that prevention is a very important part of stopping this culture of sexual harassment and violence. I wonder, in your mind, what are some of the root causes of workplace harassment, and if you can tell us a bit more about that. Also, you mentioned that government is going in the right direction with its action plan. Is there anything specific that you want to see expanded or that you think is really working within that action plan that this committee should be paying more attention to?

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Ms. Tracey Ramsey: I'll speak to the root causes. We represent many different sectors. We're not speaking today about service sector or health care workers, but they certainly are members of our union, and that will be part of the presentation that you'll hear from our members when they head to Kitchener–Waterloo.

But when we talk about the root cause, it can be that we're dealing with the public. So if our workplace involves clients, patients, any type of service to the public—we have a casino down the road that's staffed by Unifor members. We certainly know that workplace violence and workplace harassment are issues inside of the casino, just simply based on the nature of the work that people do there.

I mentioned that in manufacturing, we are under tremendous pressure, under lean production. There has been obviously a severe reduction in the amount of manufacturing jobs inside of Windsor. We're sitting in a city that has the highest unemployment rate in the country right now. That creates tremendous stress. So when we go to the root causes of why violence is leaking into the workplace, all of these things become part of the factor. Unfortunately, for whatever reason, it seems to find its way into our work.

We're here today to say that we would like to have some stricter measures and some changes to some of the language, so that we can protect ourselves when inside the workplace.

Mr. Han Dong: Good.

Ms. Christine Maclin: We're also taking a look at past history, where people have been taught this from when they were little and trying to challenge that. Like my sister said, when you have heightened unemployment, you have heightened stress within families, and this comes to the workplace because people are struggling to survive. We're trying to go against the grain of what people have been taught. So education is a key. Education comes, as we heard prior, from elementary schools to high schools, and addressing it as early as possible because elementary students are seeing this.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final question for you is from our PC caucus, from MPP Bailey.

Mr. Robert Bailey: Thank you for your presentation today. I wanted to know a little bit more about the Women's Advocate program and if that's something that you see expanding, obviously, through Unifor. Would you recommend that for the rest of the workplaces, and how long has that been in effect?

Ms. Tracey Ramsey: I would say that, curiously enough, we have just presented this to the United Nations—I believe the status of women caucus—and there is an adoption process that’s going on internationally. So this program is something that’s being recognized across the world, and it’s something that other unions are looking to adopt, as well as other workplaces, to offer protection for women inside the workplace.

As far as the implementation, that’s a good question. I’m not sure of the year. It’s been around as long as I’ve been around. I’ve been at Ford for 19 years, and I believe the women’s advocate position has been in place. I think Manon highlighted that we have women’s advocates in a great number of our workplaces but certainly not all of the workplaces that Unifor has either. We’re working on that internally, but we do know that the Women’s Advocate program has been life-saving and life-changing for our members.

Ms. Christine Maclin: I would definitely recommend it for all workplaces. A women’s advocate addresses violence against women, but the women’s advocate can also be a resource for a number of our brothers and families who don’t feel comfortable necessarily going to speak to management or other union representatives. It is a strictly confidential meeting and it’s a resource. To me, there’s nothing wrong with giving people resources to help them with their day-to-day life.

Interjection.

The Chair (Ms. Daiene Vernile): Yes. MPP Scott.

Ms. Laurie Scott: Do we have time?

The Chair (Ms. Daiene Vernile): We do.

Ms. Laurie Scott: Thank you very much for appearing before us. You mentioned stalking. Some bigger companies, of course, will have security in parking lots; you mentioned a couple of cases. How does that work? It’s a domestic issue that you’re usually being stalked, right? The boyfriend or the—

Ms. Tracey Ramsey: No.

Ms. Laurie Scott: No; not necessarily?

Ms. Tracey Ramsey: No.

Ms. Laurie Scott: Okay. So just tell me how that would work in the workplace—if you could expand a little bit further on the stalking issue?

Ms. Tracey Ramsey: Sure. When you work with people for a number of years, I think you become friends inside the workplace. You develop friendships and sometimes that’s misconstrued. It’s not that it stems from a previous relationship or any type of relationship with that person. It may just be that that person, for whatever reason, feels that you have an interest in them, and so they begin to pursue that in a way that when you say, “Please stop,” it continues on. So inside of our workplaces, we see this kind of happening all of the time. It’s not something that’s brought from the outside in; it’s actually something that happens from inside our workplace.

The other thing is that our workplaces, because we’ve lost so much—I can tell you that I work at the Essex engine plant; three quarters of that plant is dark currently.

Often my job requires me to walk through sections that are darkened. We do have a security protocol where I can call security—and I’m sure Christine will speak to this because she works security at Chrysler—so internally we’ve created processes for safety, but understand that these are large, large, large buildings that have many corners and have many dark places within them. They can become a dangerous place for women to be at work in.

Ms. Christine Maclin: As security, the main focus is respect and dignity for everyone. With sexual harassment—we deal with it immediately. We have a 3-911 number directly to our security and/or our members have the ability to go to their women’s advocate and speak so that we can set up safety plans. But we also address the behaviour with the person that’s also involved, letting them know the severity of it that could lead to termination, because in many cases—and what we said in our report—we don’t want to go to the extent that every situation is labelled the same. We can also address behaviour and make it stop, and treat everyone with dignity and respect. So there is a process, and it happens immediately.

The Chair (Ms. Daiene Vernile): Ladies, thank you very much for coming and appearing before this committee and sharing your information. We invite you, if you wish, to join our audience now to listen to our next presenter.

DR. CHARLENE SENN

The Chair (Ms. Daiene Vernile): I would like to call Charlene Senn to come forward.

Charlene, please have a seat and make yourself comfortable. You will have up to 20 minutes to address our committee. That will be followed by questions for you. Please begin by stating your name and your organization, and begin any time.

Dr. Charlene Senn: Thank you very much for this opportunity. My name is Dr. Charlene Senn. I’m a social psychologist, a researcher and full professor within the departments of psychology and women’s and gender studies at the University of Windsor.

My field is violence against women and girls. For the past 10 years, my work has focused entirely on the prevention of sexual violence on university campuses. So in this way, I am an expert on sexual violence prevention generally and on bystander and sexual assault resistance education interventions in particular.

Sexualized violence is a deeply gendered issue and cannot be dealt with effectively using a gender-neutral framework. I care deeply about and want to combat all sexual violence, including sexual violence against men and transgender individuals. The vast majority of the perpetrators of sexualized violence—98%—are male, no matter who is being targeted. For this reason, I will use male pronouns for perpetrators and female pronouns for victims/survivors.

Prevention of sexual violence needs to start happening as early as we can possibly start to do it. It can start in

developmentally appropriate ways with very young children. I'm speaking to you today about university campus prevention because it is my primary focus. Campus efforts can have an impact, but please know that I'm not suggesting that this is where prevention should start. It needs to start much earlier.

I'll begin and end with some key messages about prevention of sexual violence that I hope you will take back to your deliberations and find useful in the construction of your report. I'll give you an overview of best practices in prevention and I'll contrast this with the things we know don't work. I will describe two kinds of campus prevention that have been found to be effective in research, both of which I've used at Windsor, and sum up with what I think the challenges for the province will be to work towards the prevention of sexual violence on campus.

The rates of sexual violence committed by men against young women who are students in our colleges and universities have been known since 1985 and remain unacceptably high. There are absolutely no quick fixes. We need to change attitudes and teach skills so that stopping sexual violence becomes everyone's business. We need to give women the tools they need to fight back. We need to hold men who commit sexual violence accountable, and, of course, to support victims and survivors. The latter two actions will be addressed by many of the people presenting to you, I'm sure, so I'll talk about the former two.

You should know that most attempts at prevention have been ineffective. We need to stop doing things that there is clear evidence don't work and start focusing on doing high-quality, effective prevention. Prevention can't be done quickly or without expertise. It can be done efficiently and reasonably. It does require dedicated funds.

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What do we know? A truism of all prevention, not just sexual violence prevention, is that providing people with knowledge does not automatically or inevitably lead to changes in behaviour. In fact, we know that knowledge is not, by itself, prevention. To change people's behaviour, we also need to increase their perception that change is necessary and desirable, increase their readiness and willingness to change, provide them with specific skills in the relevant domains and increase their confidence that they could employ these skills or behaviours at the times and places that they are necessary. Then, changes in behaviour can come about. This can't happen in a 30- or 60-minute session of any kind of presentation, workshop, theatre piece or film. It sometimes starts to happen in 90 minutes or three hours of a well-designed intervention. But if we want the attitudes and behaviours to last, longer interventions with more interactions and more practice is what is needed.

So any time someone says that they can prevent a complex phenomenon like sexual violence with a quick and brief solution, you'll know that it isn't possible. It can't happen from reading a poster, listening to a public service announcement or watching one on television or

the Internet. These can act as boosters; that is, they can remind people about what they learned in that in-depth prevention workshop they took, and they can start people thinking and open up conversations. This is good, but this is not prevention on its own.

Real prevention takes time, resources and expertise. Many of the best practices for sexual violence prevention are not common knowledge or even common sense. In fact, many homegrown sexual violence education efforts fly directly in the face of everything we know. They're destined to fail, but we keep doing them on campuses all over North America. I'll outline some key areas of best practice and some things to watch out for.

Inclusivity is a very important social principle. We can do high-quality sexual violence prevention within an inclusive framework, but two best practices are important considerations for how inclusion should be practised. First, using gender-neutral language in prevention is not recommended, as it masks the realities of the phenomena. There are ways to ensure that participants in prevention understand that sexual violence is also experienced by transgender individuals at higher rates than for women and men, but at lower rates than for women, and that women can occasionally be perpetrators. We can also communicate that all sexual violence must be ended for full equality and justice in our society, but sexual violence prevention cannot be accomplished by insisting on gender-neutral language.

Second, best practice is that sexual violence prevention should be done, whenever possible, in single-sex groups. Effectiveness with men is maximized by having male-only groups, even when the content being received is the same as women are receiving. Transgender individuals are welcomed within whichever group they feel most comfortable. The rationale for single-sex groups is presented when asked about. Mixed-sex groups might seem like a good idea, but the research is clear that they are entirely ineffective or are less effective for male participants than male-only groups. This does not mean that interventions cannot model men and women working together to combat sexual violence. This can be accomplished in other ways.

Another best practice in prevention education is small groups. There are no effective campus prevention interventions done entirely in large groups. Large lectures or performances seem cost-efficient, but they aren't, because they aren't effective prevention. They can't go beyond knowledge and slight attitude shifts. Again, large venues might be a good way to start a conversation, but prevention has not been accomplished.

The use of expertise is always a best practice, and it's important for successful prevention. Often, university education on sexual violence is driven by students, as you've probably seen, or participatory in some way. This can be very important for student buy-in and for forcing universities to do something, but passion and energy are not all that is needed for effective prevention. The use of interventions that have demonstrated effectiveness—that is, that have been tested in research against control groups—is the only way to know that you have a good

base to begin. Working with local experts and the originators of those programs on adaptations to make sure those interventions speak to the local community helps to make the material personally relevant.

Sustainability is important and, while often not mentioned in summaries of best practice, should be, in my opinion. Even effective prevention efforts fail when they're only continued for a year or two, because students graduate or staff leave or lose energy, or when short-term funding ends. When prevention is not built into the workings of an institution and base or reliable funding is not provided so that it's sustained, maintained and improved each year, we cannot be successful.

Malcolm Gladwell's concept of the tipping point—you might be familiar with this—is important to keep in mind. Basically this idea is that we don't need to get high-quality prevention to every single person within a university or organization or society to make change; we actually need to get the attitudinal and behavioural changes to just a critical proportion of the people—sometimes that proportion is as low as 10%. Then we need to sustain it so that there's renewal, and over time the change spreads out from those people to their social circles and beyond, and we experience a community-level shift.

We haven't seen this kind of shift yet in sexual violence prevention, but we can get on the right path and persist until we do. This is what we're doing at the University of Windsor, and I will move to talking about it shortly.

First, I need to clarify what we mean when we say a program or workshop is "effective," and what we know about what actually works. There are three types of interventions that have been studied, and I'll talk about each very briefly. They're summarized in the brief one-page summary by Lonsway and colleagues that I've given you. You can get the whole article, if you want, from the URL at the top.

When people say that their prevention efforts are "effective," it's important to ask, "On what outcome?" Quite a few sexual violence prevention interventions are in some ways effective, but only in improving knowledge about rape or making small changes in attitudes, for example, reducing belief in rape myths for a very short period of time. So most studies are only showing changes in knowledge and attitudes and not in behaviour of any kind. Again, this is opening conversations; it's not preventing sexual violence.

So the first type of prevention that has been studied are programs targeting men's perpetration. These can only be deemed truly effective if they actually reduce sexual assault behaviour. Most education efforts do not even measure this and so there is absolutely no evidence that they work.

In fact, researchers at the Centers for Disease Control in the US have recently conducted a comprehensive, systematic review of 30 years of research—I've given you the tables from that study that summarize their findings. It shows that only one program has ever

reduced sexual violence perpetration—it's called Safe Dates—with a lasting effect, and it targets students in grades 8 and 9. None of the programs targeting men in university are effective when they've been tested in well-conducted studies or replicated, and some actually have backlash effects, which means that it actually increases sexual violence. So this type of prevention should likely not be undertaken on campuses by anyone without extensive expertise, and maybe not even then.

The second type of prevention is self-defence and sexual assault resistance education for women, sometimes also called "risk reduction," though I don't prefer that. In order for it to be effective, it must measure victimization. This type of prevention is based on the research finding that women who fight back verbally and physically against men who sexually assault them are more likely to avoid completed rape than women who do not. The sad reality is that women are least likely to use effective methods of self-defence against men they know, and so you know how high the rates of acquaintance rape are. So, without training and education, most women are not able to resist attacks by acquaintances effectively. But training and technique are not enough because there are many barriers to women resisting men they know. Most of these go beyond knowledge and skills; they're cognitive and emotional barriers.

If you think for a minute about the terrifying situation of a young woman facing a man who she knew and trusted who is now not listening to her, persisting on touching her sexually when she asked him not to, holding her down and saying things that she can't believe that he would think, there is not much about the mainstream defensive strategies women are taught—"Stick your keys in his eyes," or, "Stomp on his instep"—that is going to help a woman process what is happening and get out safely. There have been several programs for women that have been promising but none have been able to deliver reductions in victimization for more than two months or for all women.

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Over the past 10 years, I have developed and have been evaluating a 12-hour sexual assault resistance education program for women in their first year of university. The results of this CIHR-funded study that I conducted with almost 900 women at three universities will be published next month. It shows the effectiveness of this new program in a rigorous randomized control trial. I'll send the committee the findings when they are no longer embargoed, on June 11. But in a nutshell, the program accomplishes all that it set out to. It helps women more realistically assess the risk to them of men they know, detect danger more quickly, know what the most effective self-defence strategies are and be willing to use them, have the confidence that they could defend themselves if the need arises and reduce the severity of victimization they experience, all for at least 12 months.

Self-defence programs focused on stranger sexual assaults, such as RAD and the police-led ones often offered on university campuses, have not been shown to

be effective, probably because they are not designed to help women fight back against men they know.

A recent study by Dr. Jocelyn Hollander at the University of Oregon has shown that a 10-week intensive feminist self-defence program can be effective. *Wen-Do Women's Self Defence* in Canada is probably the most comparable to this type of self-defence training, but it's not been formally evaluated.

The third type of prevention is bystander-type education. It can be effective by changing both attitudes and bystander behaviour for men and women.

Research is clear that in situations where social norms overtly or covertly support sexual violence—for example, masculinized peer groups like fraternities and sports teams—in those areas rates of rape are higher than in the general campus community. Similarly, some research has suggested that if we were to create a community social norm of anti-sexism and respect for women's sexual rights, lower rape rates would result.

Bystander interventions try to create a community of student citizens who are empowered to safely intervene in three different kinds of situations: situations that support sexual assault, like someone telling a rape joke; situations where the risk of sexual violence is elevated or even likely, for example, a sober man is seen taking a woman who can barely walk upstairs at a party; and situations where support is needed, for example, a friend tells you she was sexually assaulted last night.

What we need to influence in bystander workshops are attitudes that support the need for intervention on sexual violence; confidence that something can be done, and that the students have the skills to do it; and the intention to take action and actually intervene. All of these are important. The pro-social-bystander behaviour that results from all of those other aspects is the critical outcome to establish effectiveness.

But I want to note that using an effective bystander workshop is not actually preventing sexual violence immediately. It's a long-term strategy where it's expected that the community would become safer through the people around the perpetrator refusing to tolerate their behaviour, intervening when they see elevated risk for sexual violence and supporting survivors.

I'm going to provide you with just a little bit more information about our University of Windsor initiative because I believe it's a model of a sustainable, long-term strategy for preventing sexual violence. Dr. Anne Forrest has been my partner in this initiative since the beginning. Dr. Dusty Johnstone joined our team, and is the person who teaches all of our courses and organizes and supervises all of the workshops.

We use the *Bringing in the Bystander* program, which was developed at the University of New Hampshire. We adapted it into a three-hour Canadian version. Our novel addition has been to do what we call "institutionalizing" it. We train the peer-student facilitators and we have the workshops all in academic courses. In this way, our initiative is sustainable over time.

Our university administration supports us financially through our president's Strategic Priority Fund, along

with annual contributions from the deans of three faculties. I want to be clear that this is base funding. We started small but now have a full-time teaching faculty person, a steady and new stream of student-peer facilitators each year, and a flow of students through the workshops as part of their regular academic activities in business, criminology and psychology courses. This year, we also began training law students as facilitators and offering the workshops to all entering law students during orientation. In 2014-15, the *Bringing in the Bystander* workshop was made available to over 1,300 students on our campus. These workshops were facilitated by more than 40 other students working in pairs.

We conducted an evaluation over two years and found that the workshops offered this way were effective, and we are nearing the tipping point and expect to be able to see campus-level changes in student attitudes and behaviours over the next five to 10 years.

We've been excited by the media interest in our work and the many calls we get from other universities for more information. But while there is always great enthusiasm and deep caring, very few of these universities have designated funding or the people to devote more than a small proportion of their overall time to these efforts.

The Chair (Ms. Daiene Vernile): Dr. Senn, you have one minute remaining.

Dr. Charlene Senn: Yes. With cuts in education funding, few universities will have had the foresight or capacity to designate sexual violence prevention efforts. The earlier Sexual Violence Action Plan and the latest report on sexual violence from the provincial government make it clear that universities must do prevention—as they should—but of all the promises from government about funding, there is no prevention allocation for universities and colleges that I was able to find. Without this, it's extremely unlikely that the province will get the outcomes they hope for.

I want to just end where I began and say there are no quick fixes. We need to stop doing things for which there's clear evidence that they don't work and start focusing on high-quality, effective prevention. It can't be done easily or quickly, without expertise. It can be done efficiently and reasonably, and it does require dedicated funds.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first questions for you are from MPP McMahan.

Ms. Eleanor McMahan: Dr. Senn, thank you for your work at the university. It feels like you're building communities of practice. It feels like this is a best practice model for other universities, so I'm heartened to hear that other campuses—as I was taking notes, I was thinking of McMaster, which is a campus right next door to my community that I do a lot of work with.

A couple of compelling things that you said: no quick fixes; it's everybody's business.

The health and physical education curriculum changes that we announced, which talk a lot about consent,

permission and boundaries at an early age: While we've had very positive feedback on the institution of those changes to the curriculum and that announcement and its positive outcomes, one of the things that has been shocking is to see it still happening on campuses, because these are things that, in point of fact, we've been teaching in grade school for a long time. While the new changes are to keep up to speed with technology and some of the shocking things that are present that might not have been so much so 10, 15 or 20 years ago, we've been teaching children about consent and permission for a long time. So the fact that it's still happening on campuses—and we've heard this from other communities—is shocking. I just want your comments on this.

I loved what you said about the keys to success: an increased perception that change is desirable—and behaviours—an increased readiness to change and an increase in skill levels. It feels a little bit like an example of, say, drinking and driving and the amount of education and resources that we've poured into that. Does that feel like an example, to you, of successful behaviour change in other areas of society?

Dr. Charlene Senn: Yes, and certainly of successful bystander intervention. Back at the beginning, when people would leave a party and get in the car, they'd think, "Can they drive?" but no one would have done anything. That would have been extremely unusual. Now this is a very different thing. Not only are there laws that bartenders can't serve people or they are empowered to take away keys, but people generally will not permit people they love, or even strangers, to drive because they're about to harm someone. So I think that is a really good example of how you empower a whole community, a whole citizenry, to take this issue seriously and then to intervene. The difference here, of course, is that sometimes the emergency is not as obvious, just as it wasn't obvious then that this particular behaviour is deadly—and in this case, that this constellation of things that might not look like emergencies on the face of it are, and we need to take action and intervene early.

Ms. Eleanor McMahon: It became socially unacceptable.

Dr. Charlene Senn: Yes, and make it totally socially unacceptable.

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The Chair (Ms. Daiene Vernile): Thank you very much. Our next questions for you are from MPP Scott.

Ms. Laurie Scott: Thank you very much for taking the time to be here but also for your work.

I know you have a paper due June 11, so I don't know how much you can tell me, but what is it that we can do in the first year of university or frosh week? Is there something you can just narrow right down that we can do?

Dr. Charlene Senn: I think orientation and frosh week is often when people want to do something. Because it's so crowded with other things, including the adjustment for university, I think that what we can do is open up conversations there. We are strongly recom-

mending—and it's going to be happening at Windsor—that we actually get the bystander-type training to all of the older students who are leading things at orientation, training them to intervene, to nip things in the bud, to make sure they understand policies—all of those things. That is probably more successful.

If you think about what's normally done in orientation—I know at Windsor for a while, it was a play called *Single and Sexy* that did plagiarism, sexual harassment, sexual violence, drinking and alcohol addictions, gambling addictions and eating disorders—did I already say that?—all in 20 minutes. That's not prevention, but it might get students talking a little bit and make them more likely to look for that workshop that's in their class later.

For orientation, I think the best thing is to train the people who are running it and really make sure they have in-depth bystander intervention training so that they are empowered to stop things they see. Then, I think, in the first year—which has been called the red zone, because year 1 or years 1 and 2 are the highest risk for sexual violence—we do need to get our more involved training in, I would suggest, both sexual assault resistance for women and, for both men and women, bystander intervention training. Those really do seem to be our most effective options.

Ms. Laurie Scott: Great. Thank you.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final questions for you are from MPP Sattler.

Ms. Peggy Sattler: Thank you very much for that excellent presentation. A couple of things: You spent some time initially in your presentation talking about the evidence on rape resistance programs for women versus programs to prevent men from assaulting, and there's a debate within the sector about those two approaches. Your research for CIHR is focused on the women's resistance. Why did you decide to go in that direction rather than focusing on—

Dr. Charlene Senn: I want to be clear that some of the resistance is about the really horrible programs and advertising that were directed at women historically that really were about restricting women's behaviour. It was not telling men not to rape; it was telling women they shouldn't drink too much, right?

Ms. Peggy Sattler: Yes.

Dr. Charlene Senn: That is not what I'm talking about at all. I'm talking about empowering women to see the risk in situations and to work together or by themselves to try to create interesting solutions to reduce perpetrator advantage, because there is no risk in any situation without a perpetrator standing there. You can drink 12 drinks with no risk to yourself. Rape is not a crime that is enacted on you because you drank; it's because there's a perpetrator in the room who takes advantage of every opportunity in his environment. So this is about empowering women.

The reason I did is because the programs for men are completely ineffective or worse. I am also doing the bystander work, but that's a longer-term solution. In the meantime, we know some things that will help women better defend themselves; why would we not give them

those opportunities? In my study, only 22 women would have to go through the program for one completed rape to be averted.

Ms. Peggy Sattler: Are we in the process of finding programs that are effective in preventing men from assaulting?

Dr. Charlene Senn: I think the thing that you'll see in that research is that there's only that one, and it's grades 8 and 9. We have to go way back for the prevention of men once they have established—I mean, 60% of university and college rapists are multiple, repeat perpetrators. They're deliberate. They basically plan it. The other 40% do not, but that is not going to be fixed by any three-hour program or 12-hour program when they're adults. The only way to intervene is younger.

Ms. Peggy Sattler: Right. Can I just quickly ask: The focus of the government's new initiative is around requiring post-secondary institutions to have policies. Can you comment a bit about what would be needed in a policy to make it effective? You mentioned dedicated funding for sustainability purposes, but are there other elements that you would identify?

Dr. Charlene Senn: Part of the problem is that most policies don't have anything to do with prevention. They might say that the university is committed to prevention, but unless there are designated funds, they're basically going to consider those things they did in orientation that we know are not effective. So that's why I'm talking about—yes, policies are really important. They state a university's condemnation of sexual violence; they start that community of concern. They start all of that, but alone, that's not prevention.

The Chair (Ms. Daiene Vernile): Dr. Senn, thank you very much for coming and informing this committee of the important work that you are doing. We invite you to join the audience now if you wish to.

LONDON ABUSED WOMEN'S CENTRE

The Chair (Ms. Daiene Vernile): I will call on our next presenters from the London Abused Women's Centre to come forward.

Ms. Megan Walker: Thank you. Good morning.

The Chair (Ms. Daiene Vernile): You will have up to 20 minutes to address our committee, and that will be followed by questions. Begin by stating your name and your organization.

Ms. Megan Walker: My name is Megan Walker and I am the executive director of the London Abused Women's Centre in London, Ontario. We are a feminist organization providing advocacy support and counselling to girls and women over the age of 12 who have been assaulted in their intimate relationships, or assaulted in a hooking-up relationship, for young people. We also work with prostituted and trafficked women. Last year, we served 3,500 women and responded to 5,000 phone calls. We certainly appreciate the opportunity to be with you today. Thank you so much.

We are pleased to see a new plan that has been developed now, which includes a gender-based analysis.

We believe that is critical because we know that men's violence against women and children in society occurs because of a power imbalance, and power and privilege that men hold. We actually advocated for a gender-based analysis in 2011 when we were first consulted on a sexual violence action plan.

We are concerned about a few aspects of the plan as it stands. We feel, in some regard, that while it's well intentioned, it is only an enhanced version of the previous plan. Our commitment at the London Abused Women's Centre is to shift the culture for future generations, with the goal of ultimately ending men's violence against women. We can only do this if we acknowledge the systemic and cultural issues that contribute to the violence and then take action to end it. This acknowledgement must include a recognition that today's sexualized culture is inescapable for both boys and girls, and we must make sure that any action we take will end the sexualization of girls.

Our first recommendation to you today is that the plan address the rise of Internet pornography by raising public awareness about its actual content and name it as both men's violence against women and a public health issue. The pornography industry is having a profound impact on men's sexuality, views of women and behaviours. Pornography is getting more violent, and the age of those males watching it now is getting younger and younger.

In fact, market research shows that the average age a boy will watch pornography is age 11. A study from the University of Alberta found that one third of 13-year-old boys had admitted to watching pornography, and a study published by *Psychologies* magazine in the UK found that a third of 14- to 16-year-olds had first seen sexual images online when they were 10 years old or younger. Some 80% of those polled looked at porn online at home, while 63% could easily access it on their mobile phones.

Pornography normalizes sexual violence and abuse against women. Women report to us that their partners are asking them to fulfill the acts they have seen in pornographic videos. In pornography, women are reduced to mere sex objects rather than human beings. Some women report that their partners are no longer able to become sexually aroused at home unless watching violent pornography, where women are held in headlocks, choked or having their heads thrust into toilets. We should not be surprised that there are issues today around consent, because in pornography when women say no, the message is, "Do it harder and do it longer."

1030

If we look at the tragic circumstances of the suicide of Rehtaeh Parsons, who was intoxicated and vomiting out a window—regardless, the boys believed that they had a right to sexually assault her and photograph the violence; or the case of the rape victim in Steubenville, Ohio, who was passed out while being raped and photographed—this is pornography.

Where do you think they're learning all of this? The average age is 11. It is their first experience with sex, and they're looking at pornography as their sex education.

We need to raise awareness around the harms of pornography to girls and women. Boys need to learn that pornography is violent and that learning to grow into a good and decent man does not include violence. Girls need to learn that they are valued, that there is more for them in life than being a sex object, that they are valued internally, instead of trying to get their value from the attraction of men and boys.

We must recognize pornography as men's violence against women, and we must make sure that all levels of government work together to impose restrictions on the availability of pornography. Did you know that in the province of Ontario most publicly funded libraries allow access to pornography? That does not create safe spaces for women or children. When we have raised this issue, we have been told, "Well, pornography is a freedom-of-expression issue and should be made available at publicly funded facilities." It is not a freedom-of-expression issue. It is a hate crime against women and girls, and the government must take action.

We, secondly, are recommending to the committee that the Sexual Violence Action Plan recognizes that prostitution is men's violence against women. We have been working with prostituted and trafficked women for 15 years. We know that there is a relationship between prostitution and sex trafficking. The relationship is the common bond that it is men who are buying sex from women and young girls.

The federal government has recently recognized that prostitution is inherently violent, and passed legislation to criminalize those men who choose—it is the men who choose—to buy sex from women. It further has decriminalized women in prostitution and provided funding to support prostituted and trafficked women in exiting. Buying sex from women gives men permission to violate them. While men believe that the women and girls they are buying are nothing more than a product, it allows them to then do as they please to that product that they have just purchased.

Women in this country cannot consent to being assaulted. In prostitution, however, consent is ignored. The philosophy is, "I am spending my money to fulfill my fantasy, no matter how abusive and harmful my fantasy is." Little girls do not grow up striving for a career in prostitution. Those girls who are prostituted at a young age, those exploited girls often become adults in prostitution who have no choice but to remain because they have no other skills. They are forced into prostitution because of poverty, mental health or substance use issues. There is only one party actively choosing this, and that is those men who choose to abuse, violate and exploit women and girls. Prostitution is not sex work and should never be considered work. It is men's violence against women, and it must be acknowledged as such. There has been far too much time given to the prostitution lobby, who believe prostitution is work, and there has been so little time given to survivors and women actively still in prostitution who want out, and to allies and agencies like ours.

Again, we need to teach boys at a very young age what consent means. It does not include buying sex and harming women.

When the Liberal government originally opposed the federal government's prostitution legislation, it did so with little or no consultation with survivors. While we are grateful that Premier Wynne has now found the legislation to be constitutionally sound, there has been no statement or policy on prostitution at all as a form of men's violence against women.

We are in full support of the trafficking task force proposed by MPP Laurie Scott. We work with too many girls and women trafficked across this country and sometimes into other countries. We believe the provincial government has a long way to go in addressing the seriousness of this.

The new trend, of course, is lover boy or Romeo trafficking and prostitution, where a boyfriend, partner or husband starts actively trafficking his girlfriend, wife or partner. This is a very serious issue. Last year, we served 300 prostituted women, and 50 of them were involved with a boyfriend who was pimping them out. We also work with their families, who are desperate to get their children out of the sex industry.

A task force is a no-brainer, and we believe that failing to establish one is akin to burying your heads in the sand.

We further recommend that a sexual violence action plan recognize sexual violence as a tactic of abuse within intimate relationships. We see a great number of women in our office—in fact, the overwhelming majority, 79%—who report being sexually assaulted by their partners. Sometimes the tactics of sexual violence can include sexual activity that is unwanted or coerced; things like sexual name-calling or accusations; uninformed sexual activity, like non-disclosure of STIs; and forced pregnancy or termination of pregnancy. Some of these women we serve disclose to us that they are being forced to engage in sex with multiple partners, being forced into anal intercourse, being forced to watch pornographic films and then act out those fantasies, and in one case, a woman reported to us that her partner sewed her vagina shut while he went away on a trip. Women disclose to us that they are called sluts and whores by their partners, sometimes when they're angry, but other times because it sexually arouses him. Women report being awakened from a deep sleep to satisfy their partners, fearful of the consequences should they refuse.

Sexual violence and abuse in intimate relationships is under-reported due to the shame, embarrassment and false belief that women are there to serve and satisfy their partners.

Our next recommendation is that the domestic violence legislation be amended to recognize the failure of the justice system to hold violent and abusive men accountable for their behaviours.

The Sexual Violence Action Plan refers to the domestic violence legislation in courts as if it's a good thing, something to be duplicated for sexual violence cases.

This legislation, the domestic violence courts, continues to fail women. In Ontario, the conviction rate in DV cases that go to trial is less than 1%. I think that's despicable.

1040

The early intervention program—a diversion opportunity for those charged with assault that allows that if they enter an early guilty plea and it's a first offence, no weapons are used and the batterer goes to a male battering program, he can be given an absolute discharge with no criminal finding. We know that while sometimes it is a first offence before the courts, it is rarely a first offence for the woman. She has likely been assaulted numerous times prior to police and justice involvement. Weapons: The criminal justice system is looking for weapons that include guns and knives. They do not consider hands a weapon. They do not consider a tea towel used to strangle a woman to be a weapon. In essence, what the early intervention program has done is decriminalize men's violence against women.

The cases that do move to the coordinated prosecution model continue to rely on the woman's testimony for a conviction. In what other crime would a conviction be solely reliant upon a victim? None. Women are often fearful of the outcome of their testimony, and so much time has often gone by before the charge makes its way to trial that they may have reconciled or moved on with their lives and aren't available to testify.

Finally, we recommend that sexual assault crimes before the courts be expedited much more quickly.

I recently sat in on the first day of a trial where a London lawyer who accepts legal aid certificates was tried for sexually assaulting his clients. From the time the charges were laid until the trial date was three full years. One woman had previously met with the crown a year ago to drop the charges. She had moved on in her life and was not willing to be retraumatized through a trial. On the date of the trial, the other women did not appear in court. Again, three years—their lives go on. They don't want to be retraumatized. The lawyer, of course, then is found not guilty due to lack of evidence.

How is it possible to take three years to try sexual assault cases but the fraud charges and trial of London's mayor were addressed in only a year? It doesn't make sense. I'm asking you to put the lives of women first and to take any action that will shift the culture for future generations because in my lifetime I'd like to see a little bit of movement to help my children, my three daughters and their daughters.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first questions for you are from our PC caucus, from MPP Scott.

Ms. Laurie Scott: Thank you very much. Tremendous testimony.

Ms. Megan Walker: Thank you.

Ms. Laurie Scott: Thank you for supporting my motion. You made points that are just—what we keep hearing is, it's disgraceful how we're treating abused victims. The long court processes—your comparisons

were excellent. The information that you've given I think is going to help us a lot in making recommendations being brought forward. So I appreciate that part.

We have limited time so I can only get one question in. I'm sure the Chair is looking at me. But when you spoke about teaching boys at a young age, can you elaborate on how—it's delicate. It starts at public school, I'm assuming. I don't know what you're going to say, but how can you get in there and how do you get parental buy-in? They almost need some education too, to some degree, because it's culturally unacceptable, what goes on right now.

Ms. Megan Walker: One of the things that I know right now is that there's a shift. More and more parents are accepting that their children will be the ones responsible—it's their generation—to end men's violence against women.

We propose getting into kindergarten classes and doing games and role-plays. We propose that as it moves up through the grades, kids are outright talked to about: What is sexual violence? What is men's violence against women, and what role do they have in eliminating it?

When a child is exposed to violence in her home, she's a child who may be in need of protection. This is impacting our children, and as we always say, when you hurt a woman you are also hurting her child. For parents to raise a ruckus around that—I really don't think it will happen. At the London Abused Women's Centre we are so overwhelmingly supported by our community, financially and otherwise. We have the Shine the Light on Woman Abuse campaign in London, which runs—you've got it here now, actually; it's starting in Windsor—throughout the month of November. Schools across London and Ontario are starting to participate in wearing purple to show support for abused women. They have colouring contests. That's how it opens the discussion.

The Chair (Ms. Daiene Vernile): Thank you very much. Our next question for you is from MPP Sattler.

Ms. Peggy Sattler: Thank you very much, Megan, for making the trip from London to be here today. And thank you for your very specific recommendations.

One recommendation I wanted to focus on was around the prevalence of sexual violence in intimate-partner relationships. We know that, historically, the government has treated sexual assault and domestic violence very separately. They're siloed, very separate kinds of programs. We've heard from other presenters to this committee that there's a need to better integrate those two kinds of approaches, and I wondered if you could talk to us more about that.

Ms. Megan Walker: Well, we do know that with the women we serve who choose to go to the police, if it's a sexual assault, their partners will be charged with sexual assault, because of course the legislation changed in the 1980s to make sexually assaulting your partner illegal. But it's very, very difficult.

What we need to remember is that back almost 18 years now, a young woman by the name of Arlene May was killed by Randy Iles in the Collingwood area. The

specific recommendations that came out of the coroner's inquest—there were 212 recommendations, actually; many of which have never been implemented all these years later—but there is an opening paragraph which I think is very compelling. It says that we need to recognize that in intimate-partner relationships there is a relationship, and those two individuals will share custody of their children or property. It's not like random acts of violence.

As a result, we need very specific domestic violence legislation, and I would be just thrilled if you could work with the federal government on that. We've been advocating for that now for about a dozen years as well. We need specific legislation that recognizes that the relationship between the two parties may continue.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final question for you is from MPP McGarry.

Mrs. Kathryn McGarry: Thank you very much for your presentation. You're hitting the nail on the head. We all know that there have been several gaps in the sexual violence against women action plan that this committee is looking at addressing.

There are two nuts of the matter that I see. Number one is, what makes men offend? I think you're addressing that, and from what I hear from you, pornography is a huge issue. Number two is the court system.

I'll just go back to number one. You obviously are very supportive of our sex ed curriculum changes. (1) Does it go far enough? (2) What age would you really focus on? Those are my first two questions.

Ms. Megan Walker: I am supportive of sex ed in the schools but I think it's missing a really huge component, which is that it does not address the power imbalance of women and men in society. The sex ed curriculum really approaches the issue as if there are these two equal parties and we need to teach them how to have sex responsibly and with consent. But you can't do that until you recognize the power imbalance. So I would suggest, again, that it be developed with a gender analysis, because I think that's missing right now.

1050

I think it's also interesting that the sex ed plan talks about anal sex, because anal sex is a product of pornography. Anal sex is not something that was ever normal in society. I'm not saying it was abnormal, but it was not normalized. It is now expected by most men and boys, and I think that needs to be addressed as well.

Mrs. Kathryn McGarry: Thank you. The second part of it is the court system. How do we turn our court system on its head, if need be, to address not only encouraging victims of domestic and sexual violence to come forward, but how do we address it in your perfect world if we were able to change it?

Ms. Megan Walker: A few things: I think there needs to be legislation that mandates police officers from across the province to do thorough investigations in the same way they would in a bank robbery, so that they're not solely reliant on the victim to testify. So often, victims are extremely terrified to testify because if there is no

conviction and their abuser is out right away, and even if there is a conviction and he gets 90 days to serve on weekends, she's in trouble. So we need to look forward to a time when we can actually take these issues to the courts and know that we're not going to rely upon the victim's testimony for a conviction.

Mrs. Kathryn McGarry: Would that include those who are being convicted of pornography charges or prostitution charges?

Ms. Megan Walker: Yes, and so we need an enhanced investigation and that doesn't—it may be a resource issue or an unwillingness to do it, but we're going to continue to see less than 1% conviction rates until we provide a way to allow for conviction without the women testifying.

The Chair (Ms. Daiene Vernile): Ms. Walker, thank you very much for coming and informing this committee today.

Ms. Megan Walker: Thank you. If I might just say one thing to Ms. McGarry, your brother-in-law is a friend of mine. I told him I was coming, and he said to send his love and best wishes.

Mrs. Kathryn McGarry: Thank you very much.

Ms. Megan Walker: Thank you so much.

The Chair (Ms. Daiene Vernile): Thank you for that important message. We invite you to join the audience now, if you wish to.

MR. GREG LEMAY

The Chair (Ms. Daiene Vernile): I will call on our next witness, Gregory Lemay. Please make yourself comfortable. You will have up to 20 minutes to address our committee, and that will be followed for questions for you. For the record, state your name and let us know if you are with an organization.

Mr. Greg Lemay: It's Greg Lemay, just with my own legal business, Lemay Law.

The Chair (Ms. Daiene Vernile): And begin.

Mr. Greg Lemay: Okay. Good morning, committee. Thank you for allowing me the opportunity to speak on sexual harassment and violence today. My name is Greg Lemay, from Windsor, Ontario. I have a background in political science, family social relations, addictions and also in the legal field. I previously presented at Queen's Park on Michael Prue's Bill 49, known as tipping out.

Today's topic does not reflect me directly; however, I know I can advocate for those who may be too embarrassed, scared or shy, and I will be advocating for a person that has passed on due to our failure to act in a timely manner.

Although I'm not a victim of crime regarding sexual harassment and violence, I feel I can shed some light on certain issues surrounding violence and sexual harassment. I've researched case after case, document after document and statistical data, some 400 pages. I'm relying on this information to complete my research. I'm well aware of the issues that surround women with violence and harassment. This violence and harassment

takes place in many forms, and I've decided to speak about some of them here today.

You're also here, I believe, as Ontarians. We can better assist victims of crime, help policing services solve crime as well as go deeper than what this committee is looking for. I commend Premier Wynne for pushing this issue, but I believe it's just the beginning stages of what could be in the future.

Everyone has a list of some statistics in front of you. I'll just touch on a few. Of every 100 instances of sexual assault, only six are reported to the police. One in four North American women will be sexually assaulted during their lifetime; 60% of sexual abuse assault victims are under the age of 17; 17% of girls under 16 have experienced some form of incest; half of all sexual offenders are married or in long-term relationships; and 57% of aboriginal women have been sexually abused.

Some sexual assaults are by medical doctors, dentists, employers or co-workers, teachers, priests, police or probation officers, caregivers or parents, family members and friends. Those statistics are shocking as well as disappointing. Some important aspects to point out here are that sexual assault is far more common than one would suspect, and young and vulnerable women are most likely to be sexually abused.

For some reason, our society has adopted stereotypes regarding sexual assault that are largely inconsistent with the statistical data. This is probably a result of our society repressing facts regarding sex and sexuality in general. The stigma that is unfortunately attached to sex crimes also promotes a lack of communication. It is our job to dispose of that stigma and stereotype so that others come forward. We ask that victims of crime come forward to report crimes because it helps reduce the risk of other people being assaulted. Sexual assault is among the crimes which are least likely to be reported to police.

Going back to 1999, the General Social Survey on Victimization found that 78% of sexual assaults were not reported.

In addition, one major issue is that in some cases the offence is not reported to police until long after, making it very difficult for the prosecutor to gain a conviction.

Looking at statistics on why most are not reported to police, I found these to be the most popular: 61%, the incident was dealt with in another way; 50%, it was deemed not to be important enough; 50%, it was considered to be a personal matter; 40% did not want the police involved; 33% thought the police cannot do anything about it; 18% actually thought the police would not help them; 20% did not report because they were fearful that the offender would seek revenge; and 14% wanted to stay out of the public eye regarding the incident. Some other reasons given were privacy and confidentiality issues, the sensitive nature of the events, fear of publicity, and some felt it didn't concern police because it was a personal matter.

I was surprised that 18% actually thought the police would not help them, so I asked myself why. I approached numerous women, and here was one of the

most popular answers: Many felt that police are corrupt in some way, shape or form—not all, but some officers. Police need to prove to the general public that they can perform their job accordingly while upholding the law, as well as in their personal lives. We often see police officers being charged for sexual assault and so forth. In my opinion, if this way of thinking doesn't change, people will continue to view police as unhelpful as it relates to sex crimes. Obviously, the thinking needs to change so more victims come forward.

We know that of 1,000 sexual assaults, only 33 cases are reported, 12 result in a charge being laid, only six are prosecuted and three will lead to a conviction.

Who's at risk? Who's vulnerable? I reference Bill C-46, Records Applications Post-Mills, a Caselaw Review. We know gender is the most important factor. That said, females are more likely to be victims of sexual assault than any other type of violent crime. The most eye-popping statistic on this factor is that in 2002 women represented approximately half of all victims of violent offences; however, women accounted for 85% of victims of sexual offences reported to a sample of police services.

Sexual aggression against women is widespread in Canadian society, and women may experience multiple incidents of this crime in their lifetimes.

Sobsey found that children and adults with disabilities are particularly at risk for becoming victims of sexual abuse or assault. Some 40% of women with disabilities have been assaulted, sexually assaulted or abused in some way, and 83% of women with disabilities will be assaulted, sexually assaulted or abused in their lifetimes.

Age also affects vulnerability, especially if you're under the age of 18. These groups of women make up the largest proportion of residents of shelters in Canada. This group is roughly one fifth of the population, at 21%. However, they were victims of 61% of sexual offences reported to police. The highest number of police-reported sexual offences were against girls between the ages of 11 and 19, peaking at age 13.

Sexual harassment is any behaviour or communication directed at someone with the intention of attacking their sexuality, sexual identity or sense of safety. Those who experience this behaviour may feel uncomfortable, threatened or humiliated. This may come as a shock to most, but sexual harassment is not illegal in Canada. It is merely a human rights violation. We have all experienced them—the sexual jokes; unwanted sexually suggestive looks or gestures; unwanted sexual emails, text messages or Facebook messages; unwanted comments; and some have even been whistled at and so forth. Just like in sexual assault, there's no consent in sexual harassment.

Sexual harassment can happen any time or anywhere—the street, school, work, home. According to the human rights commission, 87% of women in Canada reported being a victim of sexual harassment. Sexual harassment has led to stalking. The two go hand in hand. Stalking is the fifth most common offence committed against women. We know that 85% of perpetrators in stalking incidents against women are men.

Did you know that just over a quarter of Canadians have been sexually harassed in the workplace? According to the Angus Reid Institute, women were more than three times as likely to experience harassment in the workplace. Some 25% of Canadians who reported sexual harassment at work found management unresponsive and dismissive. Only 40% of bosses undertook a serious investigation and took appropriate action. Some 48% reported they were harassed two to five times, and 28% were harassed in five-plus instances. And 24% of Canadians who reported sexual harassment at work experienced it within the last two years.

What's interesting is that 21% of women think it's acceptable to be called "sexy" at work; 16% said the issue of workplace sexual harassment is overblown.

Filing a complaint takes courage due to the stigma attached or fear of retaliation.

1100

The 2008 Federal Jurisdiction Workplace Survey reported that 87% of employers who work under federal jurisdiction work for an organization with a harassment prevention program in place; 77% work for an organization with an appeal process against a decision related to harassment; and 76% work for an organization with a dispute or grievance review process. That said, the smaller the organization, the less likely they are to have a process like this in place. I find these statistics somewhat embarrassing for today's day and age. Why not 100%? We have not done enough to ensure that victims have proper recourse. We should all seek to find better ways to address this before more damage is done.

On November 12, 2005, a Windsor nurse, the late Lori Dupont, was murdered at the former Hôtel-Dieu Grace Hospital, where she worked. Lori was often harassed by her ex-boyfriend, Dr. Marc Daniel, who eventually stabbed her to death. This event led to Bill 168, now known as section 32 of the Occupational Health and Safety Act, which became law on June 15, 2010. It represents a significant change in how and to what extent both workplace violence and workplace harassment are regulated in Ontario. It often broadens the definition of workplace violence, and places new requirements on Ontario employers.

I'll just mention a few of the changes that came into effect with this bill:

- develop written policies that are posted with respect to workplace violence and harassment policies;
- develop a workplace violence and harassment program;
- establish practice of how the employer investigates and manages incidents, complaints or threats of workplace violence; and
- employee refusal to work where he or she has reason to believe that he or she is in danger of being a victim of workplace violence.

The number of sexual assaults reported in Canadian post-secondary schools is extremely low. When 87 universities were asked by the Canadian Broadcasting Corp. how many sexual assaults were reported, it was found

that Ryerson University in Toronto had the highest amount of reports in Canada. Since then, Acadia in Nova Scotia has taken over that statistic. At the University of Ottawa, as many as 44% of female students experienced some form of sexual violence or unwanted sexual touching while on campus; it seems only 10 students reported an assault to the University of Ottawa in 2013.

Overall, only 179 assaults were reported to 87 Canadian universities in 2013. What strikes me as odd is that Dalhousie University declined to participate, claiming they didn't have the proper data; and Mount Allison University, the reason being that it was very difficult to comment on the number of sexual assaults on campus.

Although it is difficult to get a true picture of sexual assault prevalence wherever it takes place, we must do a better job of encouraging students to come forward and be transparent. Students should be able to ask questions about how the data is collected and recorded, and how a school responds to such complaints.

Overall, I believe schools are failing sexual assault victims. We know that one in five women will experience some form of sexual assault during their time at school. Lori Chambers, a professor at Lakehead, says, "I think it's important that every institution have a policy about sexual misconduct that states explicitly what behaviours are prohibited, the rights victims have and the supports available to help them heal."

This brings me to the Canadian Armed Forces. CAF refuses to create a fully independent agency to receive complaints of inappropriate sexual conduct and offer support to victims of sexual assault and harassment. Other countries, namely the United States, France and Australia, have created an agency outside of the chain of command.

General Lawson of the Canadian Armed Forces called for a cultural shift coming from the inside. Women suffer routinely degrading expressions, sexual jokes and unwanted touching. In one article I found, a quote saying that there is not a female who has not had a problem since joining the forces.

On February 25, 2015, the Canadian Armed Forces took some progressive action and developed a strategic response team on sexual misconduct. Although that's not nearly enough as in the other countries stated above, it's somewhat promising. This team will lead in short-term measures and actions, and develop the long-term measures and actions required to address the problems of inappropriate sexual behaviour. Clearly we need to do a better job to cease sexual harassment and assault within the Canadian Armed Forces.

One of the main problems facing most organizations is a widespread perception that it is acceptable to objectify women's bodies and make hurtful jokes.

That brings me to consent. It is important to discuss the issue of consent, so those unaware are educated on the topic. I do find it favourable that Premier Wynne's new curriculum outlines this with our children. Let's at least have the conversation. No means no, and in some instances which I will point out today, yes doesn't always mean yes.

I have the particulars of, in my opinion, the most important case regarding consent and proper definition. *Regina v. J.A.* was a 2011 Supreme Court of Canada case. On May 22, 2007, J.A. and his long-term girlfriend, K.D., began having consensual sexual activity together. During the sexual activity, K.D. consented for J.A. to choke her as part of the sexual activity. K.D. lost consciousness for approximately three minutes, and she understood this might happen when she consented to being choked. While K.D. was unconscious, J.A. tied K.D. up and performed additional sexual acts on her.

In her testimony, K.D. was not clear whether she knew or consented to the sexual activity J.A. performed on her while she was unconscious. After K.D. regained consciousness, she and J.A. continued having consensual sexual activity.

On July 11, 2007, K.D. made a complaint to the police, saying that the activity was not consensual, although she later recanted her statement. J.A. was charged with aggravated sexual assault, sexual assault, attempting to render a person unconscious in order to sexually assault them, and breaching a probation order. The holding in the case: The Supreme Court of Canada found that a person can only legally consent to sexual activity if they have an operating mind during the sexual activity in question. Therefore, performing sexual activity on an unconscious person is a criminal offence, whether the unconscious person consented in advance—which is awesome news. This is extremely important to understand, because this case was appealed and then granted leave to the Supreme Court of Canada. A quote from J.A. in his response is that a doctor operates on a patient who is unconscious without ongoing consent, “so this must have been okay for me.”

The current economic downturn may further add to this problem as all levels of government are going to be forced to cut budgets, while citizens are committing crimes to financially survive. For this reason, it is critical to increase police resources—more effective sharing protocols with other police agencies, increase money for sex crimes and more useful tools for crowns. It’s evident that we need harsher penalties on sexually related offences. Victims of crime should be encouraged to step forward without fear and stigmas.

I demand that we shift social norms. Earlier I said that this committee isn’t digging deep enough. We need to discuss ways to help people report crimes and ways to reduce criminal activity. We need to ensure that all public places have a process for reporting and make it law. We should do a better job and keep a watchful eye on workplaces, in the Canadian Armed Forces and post-secondary schools, and ensure victims’ rights are front and centre.

I worked at a local hospital for almost 10 years, and I find we need to change the process of reporting. As it stands, victims enter the emergency department and often share confidential information with a front-line security officer or guard who directs them to the appropriate area. Victims then report to triage, which is not confidential

due to the lack of walls, windows and doors. Triage is wide open, and the entire emergency waiting room can hear everything more often than not.

We know that victims already have stigmas, perceived or not, but for some reason we have failed to construct a more positive process to ensure that these situations are private and confidential. I’m suggesting a text message call centre to report sex crimes where victims could make appointments to report directly to a sexual assault treatment centre without visiting triage. We should make changes on how the media reports sex crimes. We know that victims are intimidated after the crime is committed, so why intimidate further? We know that a good percentage do not want the situation made public. Limiting the media is in the best interests of all victims of sexual harassment and violence.

I’m convinced, unless laws and emphasis are changed, that nothing will change. We should look to grassroots, having mandatory education and guest speakers for students, young and old, so that the correct information is shared. We should set up information tables, put up posters, have large demonstrations and encourage Neighbourhood Watch to hold house meetings, to engage the community to end sexual harassment and violence.

I’d like to finish by saying thank you to all who have come here representing this cause. We can flourish by standing as one and saying no to sexual harassment and violence.

Social media has ruined us to the point where we hide behind computer screens and send sexual messages and harass others. I do not deduce that most of what is being said behind a screen or a keyboard is said in person. Somewhere we lost what it means to be proper and old-fashioned, and that true respect for one another as brothers and sisters. We need to be there for each other, especially victims of crime. We can only prosper by protecting what is sacred to us, as it has been since the dawn of time, and that’s our women and our children.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first question for you is from MPP Natyshak.

Mr. Taras Natyshak: Thank you very much, Mr. Lemay, for your quite in-depth presentation. You referenced a lot of statistical data. I hope that we get a chance to look at it. I don’t know if you’ve actually had the ability to reference each point—

Mr. Greg Lemay: Oh, yes, for sure. I actually have most of them.

Mr. Taras Natyshak: —because I find some of it shocking in that some are higher than I had imagined and some are lower than I could have ever imagined, so I’d like to take a closer look at that, as I’m sure the committee would as well.

You gave a broad range of recommendations, both societal, cultural and legal, as is your profession. I wonder if you could focus on legislative reforms. What do you see as glaring gaps, either in your practice or your experience, that might point the committee in that direction, as is obviously our universe, to be able to influence legislation?

We heard earlier that there are still some gaps in Bill 168, either on the enforcement side or otherwise. You also referenced harsher penalties for crimes of sexual assault and sexual abuse. I'm wondering what your thoughts are on those specifically.

1110

Mr. Greg Lemay: Let's get to the penalties first. For a summary offence you're looking at 18 months and for an indictable offence you're looking at 10 years. You can get worse things for theft. There are a lot worse penalties for less heinous crimes.

I guess I'm looking at the police. The woman who spoke before me said that you're relying solely on the woman's testimony. That, to me, isn't right, and I think that is your biggest problem. If there is a way to take her testimony and not put holes in her story—I don't know; I guess I see it as a woman going to a police department, reporting a crime; she's being interrogated and she's almost made to be the one at fault. Do you get where I'm going with that? I think there are better ways to do it. I don't know if it's done by education of police officers and crowns or the prosecution, or if there are better ways, like I said, of educating them. I guess that's where I'm at with that.

Mr. Taras Natyshak: That's okay. Specific legislative reforms: Do you see any gaps in current legislation, maybe Bill 168?

Mr. Greg Lemay: Sure. The way I see this is that with Bill 168, it's strictly to do with the employers and employees. There's nothing that I found that has anything to do with post-secondary schools, the Canadian Armed Forces, anything outside of the workplace. So there needs to be something in place to take care of the other organizations.

The Chair (Ms. Daiene Vernile): Thank you very much. Our next question for you is from MPP Lalonde.

Mrs. Marie-France Lalonde: Thank you very much for being here today. I really appreciate all the numbers and the information provided.

Mr. Greg Lemay: Too many numbers, huh?

Mrs. Marie-France Lalonde: I like numbers. But I want to ask you, just from your experience: Why do you think there are not more people reporting the cases of abuse?

Mr. Greg Lemay: Like I discussed earlier, victims are afraid. They don't want to come forward. They're shy. They're embarrassed. They're made to feel like they're in the wrong. Again, a lot of people don't want the publicity. Just talking to some females, I think that their whole thing was, "Look, if this happens to me, I don't want to be front and centre. I don't want to be this girl who reports this kind of stuff." Do you know what I'm saying? It's almost like a stigma. They're afraid to do it.

Mrs. Marie-France Lalonde: What would you recommend for this committee, based on what these ladies are reporting to you or stating to you? How can we help them feel better?

Mr. Greg Lemay: Like I said before: getting to grass-roots. We can talk to people. We can make people more

educated on the subject, again, if they're afraid of reporting. My issue that I saw working at a hospital for 10 years was that girls were coming in and disclosing that to the front person, which is the security guard, and I don't think that's right. They were discussing that with the security guard, and then a wide-open triage room where everyone was seeing and hearing. There could have been 100 people in that waiting room, and everyone just heard what happened.

Mrs. Marie-France Lalonde: So what you're saying is that the process of the victim as she enters the hospital should have a different approach?

Mr. Greg Lemay: Absolutely. Again, I think that's where I went with the text message call centre. So if you were a victim of crime, you could sit here and text a number and say, "I want to meet up with a sexual assault treatment centre nurse," as opposed to going in that way and going through triage.

Mrs. Marie-France Lalonde: You also referred—and I'm sorry, Mr. Lemay; I just want to go back—to women with disabilities, and I put "40%"; there were high numbers at risk. Is there anything you can tell this committee as to how we can prevent the high number within the population of disabled women?

Mr. Greg Lemay: I think, again, with education. I think if we educate them and there are meetings or there is somebody who checks on them or a family member who can maybe even check on them to report this—in some way, shape or form there has to be some type of way for them to report it. They probably feel that nobody is going to believe them anyway, and that's sad.

The Chair (Ms. Daiene Vernile): Thank you very much.

Mrs. Marie-France Lalonde: Can I just say something? I want to say thank you for being here and advocating, actually, from a personal point of view, to this committee, as a man.

Mr. Greg Lemay: Thank you.

The Chair (Ms. Daiene Vernile): Thank you. Our final question for you is from MPP Scott.

Ms. Laurie Scott: Thank you also for coming forward and for sharing what experiences you've seen out there.

I had brought in a motion that was passed unanimously in the Legislature about a guns and gangs similar task force for human trafficking. The bigger issue was dedicated education but also special training for police services, crowns and for judges.

The speaker before you mentioned the fact that the process is too long, if you can get a prosecution. The victims need to move on; they're survivors. How do you feel about a dedicated and faster—obviously—system in dealing with these perpetrators?

Mr. Greg Lemay: For sure, a faster system, obviously, works out better for the victim, right? If the victim has to sit there for, again, three years and wait for trial or wait for a conviction, then she's probably going to move on. I think that having something faster—like the woman before me said, some crimes are dealt with in less than a year, and this one, we're sitting here for three years.

There's obviously a huge problem there and there's a gap. Again, I support what you're saying, for sure.

Ms. Laurie Scott: Yes, it will address, certainly, the conviction rates that we see.

Definitely, I spoke about the education everywhere, from front-line hospital staff to be trained to look for signs earlier to activate a system. Some communities are doing a more intricate job, I could say, than others are. That's why I was trying to ask for more of a coordinated strategy province-wide.

Education is everything, from bailiffs, to see when victims encounter—even asking for municipal bylaws, licensing for exotic dancing. I don't know if you've ever seen that in your practice, but it's a whole system that needs to be pulled together so the supports are there for victims, but also the justice system is there to support and to prosecute faster.

I didn't know if you wanted to add anything more that you had in your statement.

Mr. Greg Lemay: No; I just support that. That's awesome. That's good to hear, actually.

Ms. Laurie Scott: Well, we're trying. We're all trying here today.

Mr. Greg Lemay: It's a start, right?

Ms. Laurie Scott: Yes, absolutely. Thank you.

The Chair (Ms. Daiene Vernile): Mr. Lemay, thank you very much for coming forward and speaking to our committee today.

Committee members, that wraps up our morning hearings. We will reconvene at 1 p.m. We stand now in recess.

The committee recessed from 1119 to 1300.

The Chair (Ms. Daiene Vernile): Good afternoon, everyone. The Select Committee on Sexual Violence and Harassment will now come to order and continue with our afternoon hearing.

I'd like to welcome the presenters and guests who are here with us today, and I want to reiterate our mandate for this committee. We're here to listen to your experiences—of survivors, front-line workers, advocates and experts—on the issue of sexual violence and harassment. You are going to inform us on how to shift social norms and barriers that are preventing people from coming forward to report abuses. However, I do want to stress that we do not have the power or the authority to investigate individual cases. That is better left to the legal authorities.

I welcome you.

VIOLENCE AGAINST WOMEN SERVICES ELGIN COUNTY

The Chair (Ms. Daiene Vernile): I will call up our first guest: Liz Brown with Violence Against Women Services Elgin County. Hello again. Please make yourself comfortable. We had a chance to meet on the road during our committee on finance and economic affairs.

Ms. Liz Brown: Yes.

The Chair (Ms. Daiene Vernile): Please begin, for the record, saying your name and your organization. You

will have 20 minutes to address our committee, and that will be followed by questions.

Ms. Liz Brown: Absolutely. I'm just organizing my notes. My name is Liz Brown and I work at Violence Against Women Services Elgin County. We're located in St. Thomas and we serve women and children 365 days of the year, 24 hours a day, seven days a week. Our idea of service is to walk with women and children as they seek safety from harm and violence and to provide counsel and support.

I wanted to begin by thanking your Premier actually for bringing this conversation to a public space: to be able to hear your recent announcements about sexual violence and your plan to address it; to see the leadership that you have taken about something that is a really painful issue, difficult to discuss, often talked about in less public forums; and to see what has now been a really painful discussion of the reality of sexual violence start to turn into a beautiful discussion of literally hundreds and thousands of women telling their stories of sexual harm towards them.

I believe we're at a truth-telling moment in our province where we are actually letting this reality settle into our bones. I believe we know that one in three women worldwide are sexually abused as adult women. I believe we know that, in Canada, one in four women are sexually abused after the age of 16. That's at least two of us in this room.

We know that one in four little girls before the age of 16 in Canada, in Ontario, are sexually abused by a male they know before they turn 16. We know that one in seven little boys in the province of Ontario and in the country of Canada are sexually abused before they turn 16 by a heterosexual male whom they know.

Those numbers are from my policing colleagues. Those numbers are not from the women and children we hear from every single day. You are getting the tiniest part of a funnel of a huge epidemic of harm that is global, that crosses countries and states and lines and borders, and is old, old, old in terms of ways to harm and oppress whole peoples. What you do first is, you rape women and you rape children. In doing so, many wars over successive histories have been won, and these wars are happening in the homes of the women and children who live in the province of Ontario. And I am so grateful that you are starting this conversation about that reality.

"I am 13 years old. At school, the group of boys, kind of my friends—they're in my class—they pin me down and they grab my breasts and they poked around down there. They tried to get in with their fingers. They laughed at me, then got up and went back outside for recess." We honour this young woman's experience.

"I am 32. When I was five, my father began coming into my room and fondling me. It felt good and it felt bad. My daughter is now five, and I am remembering smells, pain, shame. I am so afraid. I have panic attacks and I often struggle to go to work." We have honoured her.

"I am 36. I am a news reporter. When I do a live feed on location, for the last two years men unknown to me

have walked up, driven by, screamed out, ‘Fuck her in the pussy,’ laughed, and walked away.” We have read about her.

“I am 45. I went to my minister for counselling. I was having a tough time with my husband always yelling and criticizing me. I wanted help to save my marriage. We ended up having an affair, the minister and me. I didn’t feel like I could say no; he was my minister. I thought it was my fault.” We believed her.

“I am 70 years old. I am a grandpa to two boys. They call me Papa. They are 7 and 9. When I was their age, I went to church. My priest hurt me and touched me. I hated church. I got angry. I hit my brothers. I was truant at school. I don’t want that to happen to my grandchildren. I am remembering and my fists are clenched.” We heard him on our crisis line.

“I am 92 years old. I live with my daughter and my son-in-law. My husband died four years ago, so I moved in with them. I am in a wheelchair, but I get around the house okay. My son-in-law sexually abuses me. I am so afraid that if I tell anyone they will not believe me; rather, will believe that I have dementia and am in need of care. I am on a waiting list for a placement in a nursing home.” She lived with us for seven months.

Today, we are here to give voice to this reality that is happening in our communities. It is prevalent, it is painful and it is an incredible violation of the human spirit, mind and body, and, as a result, it necessitates a complex and profoundly compassionate response to be able to foster healing.

Sexual abuse is only one form of violence against women, girls and boys. It’s intentional. It’s on purpose. It’s not sexual. It has nothing to do with what she wears, what she says, what’s she’s drunk, what she hasn’t, where she walks, where we are in the world.

It is designed to take away our sense of security, safety and well-being, and reduce our ability to act in our own best interest.

It has huge effects on our spirit, on our mind and on our body, and it happens in relationships. We know the person who harms us, which makes it infinitely more complicated, more painful.

It has profound effects. Economic effects alone are huge. In the country of Canada, \$7.4 billion, which is hard for me to imagine, as I track my own little budget of less than a million—\$7.4 billion every single year in the cost to the justice system and health care for violence against women.

Take that to the province of Ontario, and you get \$2.99 billion every single year, tending only to less than 18% of the people experiencing the harm—less than 18% of the people experiencing the harm.

We all know it’s about way more than dollars and cents. We know that it is about other effects that are so profound and not easy to calculate on a cost balance sheet. You have broken bones. You have bruises, burns, cuts, bites, concussions, skull fractures, internal injuries, chronic pain, miscarriage, sexually transmitted diseases, chronic genital and pelvic pain, bruising or tearing of

your vagina or anus, acute anxiety, chronic stress, flashbacks, memory loss, insomnia and self-harming behaviour, broken trust, broken spirits, depression, anger and resilience.

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Sexual abuse is complicated. It is very hard to believe and comprehend that another human being would do this to another human being. It is why this day and these meetings are so important, because this truth has to find voice from outside of the rooms and the hallways and the school places that this is happening. We are afraid—I believe profoundly—to look at our incredible capacity as human beings to cause harm to one another.

We seek answers so we try to make sense of it, and in so doing, we often blame the person who is harmed. What if she didn’t wear those clothes? What if she hadn’t been drunk? What if she hadn’t been walking at night? What if she hadn’t provoked? What if her mother had protected her from him?

The focus is always on her, always on the little boy, always on the little girl. It locates a global epidemic of sexual violence inside one individual, which is flawed at a very basic systemic level and flawed at the moment of being able to provide safety and hope to the person who needs it and to create the social change necessary to mean that, “No one gets to touch my body at any point in time without my full and complete consent.”

Then we try to fix her. We try to fix ourselves as women, too, to inoculate ourselves from those who could harm us by focusing on improving our self-esteem, helping us make better decisions, reducing our risk by changing our behaviour, not walking at certain times, not being left alone in certain rooms, not going to bars, schools, home or workplaces. You can imagine the limitations if we actually followed this; I wouldn’t even be able to arrive here today. The effect of this is increased shame, blame and responsibility that every woman, every girl and every boy is carrying for something that is not our fault.

The other thing it does is it creates a distance; it means it’s us and them.

The invitation to this committee was to a survivor of violence or a provider of service. These distinctions are not real; they are arbitrary. There are women who provide service who have experienced harm and violence. There are women who have experienced harm and violence who provide service. There are men in this room who were boys who were harmed. There are women in this room who were harmed as girls and as adult women. When we engage in this kind of dialogue, we don’t get to the why of what is behind the actual attitudes and assumptions that make this possible to happen.

Going forward, my recommendations to this committee are as follows: I hope we will continue to hear and believe, because we are at the beginning of a torrent of disclosure. We are not at the end; we are not in the middle; we are at the beginning of a torrent of disclosure. We have become tired, fatigued and start to close our ears and not hear the atrocities because they will be huge.

We must not let ourselves close our ears and our hearts. In doing that, as a man, it is highly complicated because you have to accept that there are other men in this world who have caused harm to women. This does not make you a bad person. As a woman, this is complicated because you have to accept the harm that has happened to yourself or others you love, and hold that tension of knowing that no matter what status, what class, what race, what sexuality you have, you are at greater risk for harm.

My second recommendation is: We have to be able to keep an open dialogue. By that, I'm talking about community engagement. I'm actually talking about having people who know this experience personally, intimately and in their workplaces, to do this. We are so skilled in the sector that you fund to talk about violence against women, girls and boys. We are able, we have entire programs, for community prevention, and no funding attached to them. We have services that are available that are intelligent, smart, social media-based, and open to dialogue and discussion across the age spectrum. We need to bring in those capacities and allow for that dialogue to occur because it's complicated.

A year ago in my community we set out to raise funds for a capital build. We wanted 1,000 conversations. We ended up with 134 disclosures of sexual harm in the process of the same. People just need to be asked in a moment of warmth and kindness and they open up. For those 134 women and men, it was the first time they spoke. They were there to give money to a capital campaign; they were not there for counsel. This dialogue is ready to be discussed.

I think you need to consider the same approach you would to any standard public health epidemic: You know the scope of the problem, you plan, you educate, and you track your outcomes. You will be able to see incredible, life-changing outcomes that don't just hit the province's bottom line in terms of debt and deficit, but make real changes in the lived experiences of women who are getting up every single day, going through those experiences and flashbacks, and continuing to come to meetings such as this, to hold down jobs across the province and to give back in all the ways they can to their community and their children.

Every day, there are men who come into rooms where they never think anyone will understand the sexual violence that happened to them as children, where they think if they tell they will be blamed, they will experience homophobia and they will feel less of a man.

It is a miracle that we are as decent to one another with the amount of trauma and pain that we carry.

In closing, my wish for each of you is that we continue to listen, that we hold the space open to hear together—that we not only hold our incredible capacity for human harm, but we also hold our incredible capacity for human kindness and compassion. My wish is that you think of your mom, your grandpa, your sister, your daughter, your sons and yourself, that you hold them in your heart and you recall the dreams that you have for each one of them:

a life free from violation—sexual, emotional, physical, spiritual.

You have such extraordinary power in this room. You have elected office. You have a really large budget. You have a voice. You have a Premier who has chosen to listen. You have the opportunity to literally save lives and change the futures of thousands of women, girls and boys. You have experience of your own, and you have privilege and power to exercise. We're counting on you. My thanks.

The Chair (Ms. Daiene Vernile): Thank you very much. Our first questions for you are from MPP Lalonde.

Mrs. Marie-France Lalonde: Ms. Brown, thank you very much for presenting to us. I must say, I was not part of the other committee that you had the pleasure of presenting to, but I'm almost speechless, in the sense of—very powerful information and sharing content, so thank you very much.

You referred to several things, but I know one aspect where you help in what you do every day is the children. I was wondering if you could talk a little bit about some of the programs that you're able to deliver to the children. How can we help these children as they're going through sexual violence and harassment?

Ms. Liz Brown: Your best help for children is their safe parent. Sometimes there's one; sometimes there are two. Your best help is to put all your supports around that parent.

Your other best help, in terms of the example of the 13-year-old, is to hold your schools accountable to be safe places for our children. I put my kids on a bus this morning, 10- and 12-year-old boys, and then I left St. Thomas and drove to Windsor. While they're at school today, I expect that no one is allowed to hold them down, that no one is allowed to taunt them or pull at their penis or do anything like that against their little bodies. I expect that. We need our schools to be held to the same account that we hold parents in the home for safety for their children.

What we do with the mom is we wrap our services around her so that she can continue to be the best support to that child, so that they can heal from the abuse and harm they've gone through.

Mrs. Marie-France Lalonde: In terms of structures—we were talking about that—when you think about some of the services or the needs that your clients would have—maybe, can you expand a little bit about, from your experience, what they need most?

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Ms. Liz Brown: That's in my appendix. See, I have a really long report I'm submitting. In appendix A, it says, "Top things that are needed." The first is to restore safety. Nothing happens until safety is restored. The second is to restore connection. When we are isolated, we move to habits and ways of coping that are destructive to ourselves. There is the shame, and the blame festers. If you walk into any place where you find women and men who are homeless or any place where you find women and men who are using drugs to get through the day, you

will find women and men who have been sexually abused as children, who have experienced trauma as children, and who have not had the reconnection and the safety that would make such a difference to their lived experience.

So the first step is re-establishing safety. The second is to restore connection. The third is to help manage intrusive behaviours. The fourth is to make sure people know who is there to be able to help, and that that help is 24/7. People are confused about that. This whole language of “sexual violence” and “domestic violence” is a real problem. It started from the criminal justice system. It’s not helpful to the individual person, because we have sexual assault centres, we have women’s shelters, we have help lines, we have crisis lines. People need to know that 24 hours a day, you can call a crisis line as a woman or a man and you will get the support you need. We will make sure of that.

The Chair (Ms. Daiene Vernile): Thank you very much. Our next question for you is from MPP Jones—I’m sorry. MPP Scott.

Ms. Laurie Scott: That’s okay. I wish she was here.

The Chair (Ms. Daiene Vernile): I’m thinking of a different committee. I have lots of committees. MPP Scott.

Ms. Laurie Scott: Thank you very much: very powerful. Thank you for your dedication to this very controversial topic.

What are we using wrong for the—first of all, we don’t know it’s 24/7. We’re talking about young people. Maybe it’s happening with one of their parents. How do we let them know it’s not right?

Then you inferred a bit in the last answer about the name we are calling it, and is it maybe wrong? So just take whatever you’d like and go.

Ms. Liz Brown: Well, that’s big. Okay.

To start in terms of young people, I think one of the things we really miss now is the ability to be in the schools. Our schools have changed their practices about that, so there are only certain education models that are allowed in school boards. This narrowing of that piece has meant that advocates who have experience, lived and professional, are not in the schools. When we’re in the schools as young as grade 5—I know this scares the crap out of many people—we need to be talking about the reality of our bodies and our rights to being able to have control over them.

When we start talking at grade 5, kids are not concerned; they are not worried. They are understanding, they are listening and they are open to that piece. It doesn’t increase sexual behaviour; it increases safety. We need to start there, and you need advocates like myself and my colleagues and the people who are sitting behind me to be the ones in the schools doing that with the teachers, not to expect the teachers to be able to do everything in addition, but to also bring in people with a lived and professional expertise to do so. I think that’s a profoundly huge way to assist.

Ms. Laurie Scott: Okay.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final questions for you are from MPP Sattler.

Ms. Peggy Sattler: Thank you again for a very strong and thoughtful presentation.

You talked about the economic costs of violence against women in terms of policing, justice, health care, I guess lost days of employment and others. You mentioned a \$2.99-billion estimated cost a year in Ontario. There’s a strong economic argument made that investing in prevention and supports will actually cost less money because you can divert some of that funding that’s all caught up in the aftermath and do that upfront prevention.

Do you have a sense of what kind of funding should be allocated to the upstream prevention rather than these downstream costs?

Ms. Liz Brown: Yes: appendix B.

Ms. Peggy Sattler: Okay.

Ms. Liz Brown: No, I’m joking.

I do have a belief about that. To start, when you look at the inverted pyramid and you look at the amount of sexual violence, it looks like this. By the time it gets to the justice system, it’s less than 18%. The justice system—when you look at funding, you reverse the pyramid. You have, up here at the tiny part, advocates who are able to provide sexual violence counselling and are also able to do the community engagement, and that’s the amount of the pie and the investment that’s going into prevention. Then, down here, you have the justice system investment. So we have a reverse: We have the most money going into the least-accessed point of the system. It will continue to be the least-accessed point of the system for a long, long, long time because of the shame involved, because of the blame involved and, frankly, because of many of the court outcomes that are netted after that process.

So to reverse it into prevention while still keeping the criminal justice system available, because it should continue to be recognized as a crime, is essential, but putting that money upstream, we can track that. We can track it through community-based research over time. We can even give you research over decades about how much that will save you.

Ms. Peggy Sattler: Has there been research conducted that you could—

Ms. Liz Brown: No, we’re just in the process now.

Ms. Peggy Sattler: Okay.

Ms. Liz Brown: Yes. We need funding for that, too. But you can certainly track these benchmarks. You’ve done it for early childhood education; you’ve done it for the outcomes for the under-six crowd. Once you move over six and you look at sexual violence, you can use the same tracking mechanisms to track the outcomes in this particular case. I can guarantee you will see results that are quite eye-popping in terms of savings.

The Chair (Ms. Daiene Vernile): Thank you very much. We really appreciate your coming and informing this committee. It’s nice seeing you again. If you would like to—

Applause.

The Chair (Ms. Daiene Vernile): You're getting applause.

You may join our audience, if you wish to.

MS. FARAH EL-HAJJ

The Chair (Ms. Daiene Vernile): I would like to call on our next presenter this afternoon: Farah El-Hajj. Please come forward and make yourself comfortable. You'll have up to 20 minutes to speak to our committee, and that will be followed by questions.

Have a seat, and for the record, begin by stating your name and if you're with an organization.

Ms. Farah El-Hajj: Hello. My name is Farah El-Hajj. I am a student-at-large at the University of Windsor. I'm a student there, and I'm here to present to you to give you a student's perspective on sexual violence and harassment on our campus.

The Chair (Ms. Daiene Vernile): Begin any time.

Ms. Farah El-Hajj: Okay. Like I mentioned, my name is Farah El-Hajj. I am at the University of Windsor in my third year of political science. I've been heavily involved with drafting the sexual assault policy at the University of Windsor. I was the first student asked to join the drafting committee by the dean of students because I have advocated strongly for a sexual assault policy for a few years now.

In November 2014, I was approached by four females on my campus—I'll get into that a little bit later. I'm heavily involved with the student union on campus. It was during the time of an election that they said, "It's important that we have a sexual assault policy on our campus because no other student leader on our campus has advocated for it." They shared with me their stories. They disclosed some information to me that I can't even begin to express how speechless they left me. That kind of pushed me to fight and advocate for implementing a sexual assault policy on our campus. From then on, we created a working group, and we are now still in the process of drafting the policy.

Today, I'll just go over some of the recommendations that we have as students at the University of Windsor and what we would like to see from all of you folks around the table here. But also, thank you all for taking the time to address the issue with us and for allowing the public to join and disclose some of their information and some of the recommendations that they have to make. I really thank all of you for being here today.

First of all, I think it's extremely important to create a safe space on our campus. Oftentimes, students who experience sexual violence and harassment or assault on our campus don't know where to go, where to start, where to go for help or what to do. One in five women in post-secondary education will experience sexual assault simply because they are students and because they are women. That stat is very triggering to me as a woman on campus and as a student on campus. If you look in a classroom of about 200 students—an average classroom at the University of Windsor—you're looking at anywhere between 10 to 20 students being sexually assaulted

simply because they are students at the University of Windsor.

It's important that we're creating safe spaces, and the way to do that is by providing funding. We don't have a crisis centre on our campus. Students don't know where to go when they're experiencing sexual assault and sexual violence. It's really, really important that government officials and people in power really, really push for a concrete funding resource that is offered to all universities and colleges across the province and across the country to make sure that each and every student knows what to do if they experience sexual assault on our campus.

Second of all, it's important that—and we've seen this across the country, thanks to media, because administrations have been forced to be held accountable—we're pushing for stand-alone sexual assault policies at each and every institution in Ontario and across Canada. There was a recent study done where nine out of over 100 had adequate reporting and had actual policies implemented at their institution. The University of Windsor wasn't one of those nine schools. Since then, we're working on the policy and we hope to have it done for September. That has been pretty exciting: to make sure that students know that the University of Windsor has a no-tolerance on sexual violence and sexual assaults.

1330

Working groups like this and select committees are really important to have across the country, across the province, even locally. I hope that this just doesn't end here. We hope that we see you folks again—to maybe come on our campus and listen to what students have to say, because it's really hard for me to represent 13,000 students by myself. It's important that we all have open ears to listen to these students and what they would like to see. I think that opens the dialogue between government officials, our representatives and students.

It's really important, as I mentioned before, that we're pushing for funding. I know that the dean of students at my university has a fear of: "We draft this policy, it gets implemented, we follow it, but there's not enough funding to make it adequately there in person." That's something that the dean of students is worried about, so you can only imagine what students are worrying about. Many of those who are involved with the work already done fear the lack of funding, that it will halt or stop the advancements we've made, that have been occurring.

It's really important that we push for mandatory reporting and having our administrations be held accountable; that if sexual assaults happen on our campus and the students decide to disclose, that that is going to be made public. At the University of Windsor, sexual assaults do occur, and we were one of the schools that had no information to report when asked how many sexual violence cases we have dealt with. A member of our administration mentioned that he dealt with four sexual assaults in a matter of five years at the University of Windsor. That is ridiculous, when one in five women experience sexual violence on our campus.

In the recent study where nine out of 102 Canadian colleges and universities had sexual assault policies, the University of Windsor wasn't one of them, but hopefully will be in the fall—so it's ensuring that post-secondary education institutions are reporting the cases for accountability and holding our administration accountable, to make these reportings public so that students are well aware and they know that sexual violence is on our campus.

I had the pleasure of meeting the Premier of Ontario in January. We sat at a round table at Queen's Park, and we discussed—for each university, there was one representative through the Canadian Federation of Students—the importance of what work has been done on our campus and what work needs to be happening. She took a lot of our recommendations and provided them to her committee, and then, from that, she started her action plan. She released her action plan in March. It was very exciting that student leaders are getting involved with government officials like you and the Premier to push and work together for creating a rape-culture-free campus and to make sure that each and every student knows that they should feel safe and secure on our campus, because each and every student deserves to.

My last point—and I really don't have too much to say, because the speaker right before me blew my mind, so it kind of took away a lot of—

Interjection: She was amazing.

Ms. Farah El-Hajj: Oh, yes, she was just amazing.

Encouraging more public input—so things like these conversations, to happen around a table like this, where students like me, students who don't really have any experience with advocacy can just walk in here and voice their opinion on what has to be done and what should be done in terms of their security and their safety on our campus. Again, the stat that one in five women will experience sexual violence on our campuses across the province, across the country is triggering to me, as a woman, and to my friends and my peers at the University of Windsor and across colleges and universities in the province and the country.

In conclusion, I'll repeat my recommendations to you. Really, it's all about funding and creating mandatory consent education. I think it's important that students know that consent is something that needs to be discussed, whether at a young age or an old age. I'm not sure if folks around the table know, but sexual assault cases at the University of Windsor, at least, happen the most in the first eight weeks of every semester, because students are transitioning from high school to university and colleges and are not knowing what consent is or what's considered sexual assault—what's okay, what's not okay, and things like that—so it's really important that we're pushing for mandatory consent education from a young age and bringing that to our post-secondary institutions, as this will help to eliminate sexual assault on our campus.

Again, thank you all so much for coming to Windsor, if you're not from here. It's a beautiful city. The weather

is ugly today, but it's usually a nice city. Thank you all so much for coming and listening to me and to the other speakers. We hope that this conversation continues and doesn't just stop here and that we see actual work being done after this committee takes all the information and develops it.

The Chair (Ms. Daiene Vernile): Thank you, Ms. El-Hajj. Some of us arrived yesterday, by the way, when the weather was very nice, so we got to enjoy that.

Ms. Farah El-Hajj: Awesome.

The Chair (Ms. Daiene Vernile): Our first questions for you are from MPP Bailey.

Mr. Robert Bailey: Thank you very much for your presentation. I was kind of interested when you said—I just assumed that all universities and colleges, with the media interest and with so much information about sexual assault, would have some type of program in place, but you're saying that there's no safe space on campus, and also that there's no real reporting. What does the university board of directors, the dean—obviously you guys talk to them and question them on this. What's their response?

Ms. Farah El-Hajj: Oh, boy.

Mr. Robert Bailey: Or do they?

Ms. Farah El-Hajj: It's really hard to get something out of them, to be honest with you. I'm very passionate; I've advocated for things from tuition fees to sexual assault, ending violence and larger topics. But I guess what happened at the University of Windsor is that the media got a little glimpse that the University of Windsor didn't have any adequate reporting, so they were forced or pushed to create a committee to start drafting the policy.

It's important that this is finally getting into the media. I mean, it's only 2015, but—it's important that these issues are being brought to light, because it's pushing administrations across the province to get involved and create committees that are working on the policies. That's exactly what happened at the University of Windsor. Reporting in the media started happening in mid-November, and then a couple of weeks later I was asked to join the committee. Since then, we've been working biweekly to develop the policy. We hope that other schools follow in our shoes and continue to work on policies like that.

Mr. Robert Bailey: I want to commend you on your work and your committee. Thanks for being here today and presenting your deputation.

Ms. Farah El-Hajj: Thank you.

The Chair (Ms. Daiene Vernile): Our next question for you is from MPP Sattler.

Ms. Peggy Sattler: Thank you so much for taking the time to come today and for offering those recommendations. A couple of things: You said you're pushing to have institutions all publicly report incidents of sexual assaults on campus. One of the challenges that we've heard from institutions is on comparing apples to oranges, if there's no standardized process of capturing the data so that it can be reported so that you're reporting

the same things across campuses. In your discussions with other institutions, is this something that you are looking at, some kind of standardized reporting system that would be across post-secondary institutions, both colleges and universities, because you'd want to be accurately reporting the situation at a number of different schools?

Ms. Farah El-Hajj: Honestly, it unfortunately varies from campus to campus, so it's really hard to generalize with all universities and colleges, but it's extremely important that—I know that at the University of Windsor we just finished drafting the policy. Now it's being reviewed by legal experts, but I know in ours we have a section on resources. We have a section on what is considered to be disclosure and what is considered to be reporting, because some students who experience sexual violence might want to—in the term “venting”—express it to a professor or a friend rather than disclosing it as an actual report. It's important that universities and colleges aren't pushing students that they have to report; it's up to them whether they want to.

It's really hard to set it as a scale, because each and every case is different, so it also varies, but I think what's important is that—I know at the University of Windsor we have a web alert, which half the time doesn't work. For example, not to do with sexual violence but violence in general, we had a recent case of someone who fled the border. If you notice, the University of Windsor is right down the road, and that's where the bridge is. An armed male left the border and ran through Windsor from Detroit. He could have been on our campus; we're not sure if he made his way to our campus. But students who were on campus weren't notified that there was a man who was armed on campus. It's things like that. For example, “Someone just experienced sexual assault in the student centre. If you've seen it, or if you've heard it, be aware”—just to let students know that it happens.

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I know when I speak to students and I let them know that I'm working on a sexual assault policy, they're surprised to know that sexual assault is a thing on campus. They're like, “That's a thing on campus? That happens?” That's the frightening part: that students don't even know that it's occurring.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final question for you is from MPP Malhi.

Ms. Harinder Malhi: Hi. Thank you so much. Your presentation was amazing, and it's so good to see that you're so engaged in your school community and doing so much work for your school community.

My question was around reporting. I know that you just said that it's different in every case, and it's really up to the students whether they want to report or not. In the recommendations that you're making and the policy or the plan that you're creating, how are you encouraging students to come out and report?

Ms. Farah El-Hajj: That's a great question, and we actually get asked that all the time. The best way I can put it is: Students need to gain back the trust from the

administration; that's the only way that they can report. Oftentimes, students who experience sexual violence on our campus find it unnecessary to report it because they feel like nothing will be done for them. So it's important for students to see that the administration and student leaders like myself are willing to work with them and push them to report because it might save the next person who might experience sexual assault.

It often happens in residence buildings on campus, and it's really important that RAs, residence assistants, are properly trained to deal with sexual assault cases so that students can gain back the trust to go and report. I guess when the reports start coming out, other students are encouraged to speak about it.

I heard an excellent speaker at York University a couple of months back. It took her four years to discuss how she was sexually assaulted. It takes time. It's not like it happens, and then right away students are going to disclose. So it's really, really important to create a safe campus and ensure that the relationship between students and the administration is strong and trustworthy enough for students to come out and report. The administration has a lot to work on.

Ms. Harinder Malhi: Thank you so much.

The Chair (Ms. Daiene Vernile): MPP Dong, you have a question also?

Mr. Han Dong: I've just got a quick question. In your experience in policy-making, can you tell me your thoughts on the fact that sometimes the perpetrator after the incident has very little change come into their life, but the victim has to maybe relocate or have these protective measures around her or him? In your policy-making, do you find that that's somewhat unfair? Are there any good ideas so we can curb this?

Ms. Farah El-Hajj: I think at the University of Windsor, in terms of our policy, it's repeated a few times that there's no tolerance at all for sexual violence and harassment. The good thing, too, is it defines what sexual assault, sexual harassment and sexual violence are considered to be.

Oftentimes, students who are committing these crimes get just a slap on their wrist, and they are let go. For example, at the University of Windsor, again, in 2009, we had a peeping Tom. There was a male resident going into a shared bathroom, and there were no curtains at that time because the University of Windsor didn't give curtains. They had a male go in and peek through the bathrooms. A woman was raped in the bathroom. It's really important that the administration work with, I guess, both parties, if you want to say that, and that they're providing support for the victim, but they're also letting the person who's committing these crimes know that this is not okay; it's not a slap on the wrist and then you get to go.

There was another instance where a woman was raped in her residence building on the sixth floor, and the male was just banned from the sixth floor, but he was allowed everywhere else in the building. Things like that happen all the time. She's going to run into him on campus. She's going to run into him in the elevator. She might run

into him in the lobby. It's just ridiculous. So it's really important that the administration is enforcing the rules once they make them and that there is no tolerance for sexual violence, no matter what the case is or what it looks like.

Mr. Han Dong: Thank you.

The Chair (Ms. Daiene Vernile): Ms. El-Hajj, thank you so much for coming here today and appearing before this committee. We thank you for your information.

Ms. Farah El-Hajj: Thank you so much.

The Chair (Ms. Daiene Vernile): We invite you, if you wish to, to join our audience.

CENTRE FOR RESEARCH
AND EDUCATION ON VIOLENCE
AGAINST WOMEN AND CHILDREN

The Chair (Ms. Daiene Vernile): I will call on our next presenter to come forward, with the Centre for Research and Education on Violence Against Women and Children. Please come forward. Have a seat. Make yourself comfortable. You will have up to 20 minutes to speak to our committee, and that will be followed by questions for you.

Ms. Barb MacQuarrie: Okay. Thank you. I do have some handouts.

The Chair (Ms. Daiene Vernile): Our Clerk will get those from you.

Ms. Barb MacQuarrie: I also brought a few handouts from—I was part of a group that presented previously. I got the message that I should bring 20 copies.

The Chair (Ms. Daiene Vernile): Great. Please give those to our Clerk, and he'll hand those out.

Ms. Barb MacQuarrie: Okay. Some of those are from a previous presentation. The rest are for today's presentation.

The Chair (Ms. Daiene Vernile): Please have a seat. Begin by stating your name, and start anytime.

Ms. Barb MacQuarrie: Hi. My name is Barb MacQuarrie. I'm the community director at the Centre for Research and Education on Violence Against Women and Children. We're located in the faculty of education at the University of Western Ontario. Thank you very much for the opportunity to be here today. What I'm going to present to you might be a bit of a departure from some of what you've heard. We conducted a national survey—and we just released our results in November 2014—on the impact of domestic violence on workers in the workplace. I'm going to talk to you about that survey.

I'm here today representing, of course, my own centre and also the Canadian Labour Congress, who were a partner in the survey, and an international network called Domestic Violence at Work. I have a SSHRC—Social Sciences and Humanities Research Council—grant to put together this international network. We are a combination of academics, policy people, labour union representatives and women's advocates. We all have a common concern about domestic violence when it enters the workplace, how it shows up in the workplace and how we might

provide support through the workplace. We are from New Zealand, Australia, the US, Canada, Great Britain, Germany and the Philippines as well now, and our membership continues to grow.

We have, internationally, a growing body of evidence that shows there is actually a link between economic independence, being in paid employment and the impact of domestic violence. What we know is that women who have a history of domestic violence have a more disrupted work history. As a consequence, they have lower personal incomes, they have to change jobs more often and they're more likely to be employed in casual or part-time work.

We also know that being employed is actually a key pathway for women to be able to leave an abusive relationship. The financial security of employment prevents women from becoming trapped in violent and abusive relationships, and it helps them to maintain both their home and their standard of living.

We also know that when perpetrators extend their abuse to the workplace setting, there's an escalation in risk. They may be trying to endanger their partner's or ex-partner's employment by their harassing and stalking, but just the fact that they've decided to follow their partners to work, in and of itself, is a sign of escalating risk.

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It's not just victims in the workplace who have an impact. Offenders as well have an impact, and we have a very beginning body of research on this. These statistics I'm showing you here are from an American study. We are replicating this Canadian study, but we won't have our results for about another year.

This study was done with offenders who are in partner-assault response programs, so they've been convicted of assault on their partner. What they told us was that their work performance was negatively impacted as a result of the violence in their interpersonal relationships. As a result of that violence, there were things like they weren't paying attention to what they were doing; they were thinking of their partner or their ex-partner and the dispute they'd had; they were waiting for their partner to call on the phone. So their performance was being impacted by this.

Most startling is that almost 20% of them actually admitted that they had caused or almost caused an accident at work. So there's a real cost to having these domestic disputes enter the workplace, even if not physically.

We have also a growing body of research that's looking at the costs of domestic violence at work. This is the most important Canadian study that we have. It was done by Justice Canada in 2012. We know that over \$7 billion a year is the cost to our national economy of domestic violence. These costs are borne, some of them, by the victims themselves, but also by our health care system, by our criminal justice system, by our social service system. And we've been able to isolate costs to employers at almost \$78 million a year.

What I'll say about the costs is that at this point we can only count what we can measure. There's so much

that we still can't measure that the costs are quite drastically under-represented.

Now I'm going to turn to more recent surveys that have been done. These are surveys that are actually designed to look at the impact of domestic violence on workers and the workplace. The very first one was done in Australia. New Zealand followed. The UK was next. Canada was next—I'll talk to you about that—and Turkey is the most recent country to do a similar survey.

Our objective in Canada was to survey Canadian workers about their experiences of domestic violence in the workplace. Our respondents were 15 years of age and up. They were both men and women. This was, as I mentioned before, a partnership between the Canadian Labour Congress and Western University. It was funded by in-client support from Western, from the CLC, from the Canadian Institutes of Health Research and from the Social Sciences and Humanities Research Council.

We had a six-month online survey. It ran from December 2013 to June 6, 2014. Our recruitment was largely done through the CLC. We had posters, bookmarks, emails, meetings. We had a media launch. It was offered both in French and English. Anybody aged 15 years and up was eligible to participate.

We had over 60 questions in our survey, so what I'm showing you today is really just skimming the surface of the data. We continue to write articles, and we have two in press.

We had over 8,400 respondents. About 78% of our respondents were female. Ontario was over-represented, as was BC. The vast majority of respondents were between 25 and 64 years of age. Over 80% were in permanent employment. Over 80% were unionized, and a lot of them were from the health care or social service sectors.

What this tells you about our survey is that these are people who actually have quite secure jobs and quite good benefits. So when you see the impact on these workers, you have to imagine what the impact is on more precarious workers who don't have the same degree of job security or the same degree of support in their workplace.

This is the definition that we used, so it's not just physical violence we're talking about; it's physical, sexual, emotional or psychological abuse. It includes financial control, stalking and harassment. It can occur between opposite- or same-sex partners; they may be married, common-law or living together. It can also continue to happen after a relationship has ended.

In our survey, fully one third of respondents had experienced domestic violence at some point in their lifetime. Women, transgendered and aboriginal respondents, those with disabilities and anybody with a sexual orientation outside of the norm had much higher rates. Now, ours was not a random sample survey, but our rates are very consistent with other large Canadian surveys. Both the size of our sample and the consistency with previous national samples that were random samples give our results a lot of validity.

This is just a graph showing the breakdown by gender. As you can see, though transgendered people were very small in number in terms of respondents, they were so much more likely to experience domestic violence. Then, you have women as compared to men: about 7% of women and about 4% of men currently, and just under 40% of women and just over 17% of men over a lifetime experiencing domestic violence.

Among those workers who told us that they experienced domestic violence in their workplace, almost 40% said that it has impacted their ability to get to work. I thought that it might help to have a couple of quotes so that you can hear from people in their own words:

"I would have to find a safe house because of violence at night. Then I would be without work, clothing or school uniforms for the kids."

"My children and I would be too emotionally upset to go to work and school the next day."

"Sleep deprivation affected my ability to focus at work or get there on time."

Other ways that people told us that it affected their ability to work was hiding car keys, taking transportation money, not showing up for child care, destroying work clothes and actually physically confining somebody, not enabling them to get to work.

One of the most significant findings is that amongst that one third of workers who have experienced domestic violence at some point in their life, over half said that it actually followed them to work. So what does that look like? The most common way it follows people to work: harassing phone calls. Stalking harassment is also fairly frequent. You have the abuser physically showing up at the workplace in almost 20% of the cases. These are actually quite high-risk behaviours, not just for the person being targeted, but for other co-workers and potentially clients, customers and patients as well, depending on the workplace.

Again, in respondents' own words:

"Constant phone calls prevented me from doing my job properly as it tied up the phone required for business."

"He pretended to be security and dragged me out of work."

"The abuser would phone my workplace to see what time I had left and phone when I arrived to make sure I was actually going to work."

Not surprisingly, I think, over 80% of those who experienced DV—domestic violence—admitted that it had a negative impact on their work performance. So here's just a little bit of what they said:

"I was tired and distracted, yet work was a place where I felt safe."

"Dealing with my ex-husband left me anxious, tired due to sleep—it affected the pleasure work usually gives me."

So I think you're seeing two messages here: one is that work is important to these people who are experiencing domestic violence. They want their jobs; they want to be there, but the domestic violence that they're experiencing is interfering with their ability to work.

It doesn't just impact those who are affected directly; it also impacts co-workers. We know that, amongst those who experience domestic violence again—that one third—almost 40% said that it had an impact on their co-workers as well. Here are some of the ways that it impacted their co-workers:

“People were sympathetic and horrified, but also very, very uncomfortable.”

“I could see how my situation could place others in danger and was lucky that none of the threats that were brought forth were followed up.”

We asked co-workers, too, whether or not they recognized that anybody they worked with was experiencing or had been experiencing domestic violence. Again, over a third—very consistent with the numbers reporting domestic violence—said that, yes, they believed that they had worked with somebody who had experienced domestic violence. One of the papers—I was just impressed now—is actually looking at the kinds of warning signs that co-workers are able to recognize. Over 10% said that they thought or knew that they had worked with somebody who was actually also using abusive behaviour.

1400

We asked whether or not those who had experienced domestic violence ever talked about it with anybody at work. Over 40% said yes, they did talk with somebody at work. Who they talked with was overwhelmingly their co-workers: 80% of those who talked to somebody talked to their co-workers. Just over 40% talked to a supervisor or manager, 12% to a union and 10% with HR. Very few workplaces have a designated person to handle domestic violence in the workplace; a few of them talked to that person.

Here is a little bit of what our respondents actually said: “Confiding in co-workers helped alleviate the stress of being attacked when going to the car, the unending phone calls, over and over and over, and the extreme fatigue, both physically and mentally.”

“The support from a few co-workers and the employer psychologist was empowering.”

“The gossip was malicious and not at all helpful.”

We see a real difference there between an empathetic, supportive response and just workplace gossip.

We asked whether or not workers had received information from their employer or their union about domestic violence in the workplace. Remember that this survey is very heavily weighted, with almost 50% of our responses coming from Ontario, and we have legislation in Ontario that at this point, at a minimum, everyone should be getting information about domestic violence. We found that under 30% received information from their employer, and roughly the same amount received information from their union.

Here's what one of our respondents said about receiving information and support from employers. I think it's a really good summary: “We bring to work everything that happens at home. We can't compartmentalize or mentally separate these different aspects of our lives. While it might not technically be a responsibility of the

employer or union to provide shelter or assistance for employees being victimized by abusers at home, the workplace is a logical place to provide help, support and resources for victims of violence.”

Finally, the most serious impact was the loss of employment. Almost 10% of our respondents who experienced domestic violence at some point said that they had actually lost a job due to the violence. This could have been because of the impact it had on their performance. It could have been because you had the abuser showing up at the workplace causing a disturbance.

Some 91% of all respondents, whether they experienced domestic violence or not, did believe that domestic violence impacts the lives of workers. A quarter of them felt that supportive policies could actually reduce the impact of domestic violence.

In summary, many workers have directly experienced domestic violence or know of co-workers who have. Domestic violence has significant impacts on the workplace. Less than a third of workplaces are providing information—we're not even talking support, just information. Workplace responses are mixed, but when in place, they were seen as generally positive.

That brings me to the recommendations I have today. These recommendations come on behalf of my centre and on behalf of the Canadian Labour Congress as well. We want to strengthen the language of the Ontario Occupational Health and Safety Act to make the education of managers, supervisors and workers about domestic violence in the workplace mandatory.

Secondly, we want to train and designate health and safety inspectors to check compliance with occupational health and safety obligations to take reasonable precautions to keep employees safe from domestic violence that may occur in the workplace.

I'm happy to elaborate on those recommendations. I just want to point out that I've been working for many years now, since about 2009 or 2010, on an initiative called Make It Our Business. It has a lot of resources for employers, unions, co-workers, HR professionals and health and safety professionals on addressing domestic violence in the workplace. It has been funded by the provincial government, and continues to be, so it's not as if you have to go and find resources to implement some of the recommendations that I'm putting forward.

I'm open to questions. I hope I made it my 20 minutes.

The Chair (Ms. Daiene Vernile): Thank you very much. I see that you're prompting me to ask you some questions, so I appreciate that. Our first questions for you this afternoon are from our NDP caucus. It is MPP Sattler who will be talking to you. Thank you.

Ms. Peggy Sattler: Thank you very much. For the benefit of other committee members, Barb MacQuarrie was honoured with the Order of Ontario for her leadership in domestic violence. We're very honoured to have you here, and this is great information.

A couple of questions: Number one, have you run the data by province so that we could look at the Ontario-only results and see if they differ from the national results?

Ms. Barb MacQuarrie: We haven't yet, Peggy, but we will be doing that and I'll be more than happy to share that. What I would say is that you can just expect that there is an Ontario bias in all of these results because of the large numbers from Ontario.

Ms. Peggy Sattler: Okay. The next-to-final slide talked about "Make It Our Business." Your recommendation is that information for employers should be mandatory. You have had this voluntary program available that has been funded for a while—very, very robust. But how many employers are taking advantage of it? What percentage of employers would you say you've been able to reach with this voluntary process?

Ms. Barb MacQuarrie: I think we've reached the very early adapters, maybe workplaces that have had some experience already and so really have opened their eyes to the need for this sort of education. I think it would be generous to say that we've reached 1% of workplaces.

Just to give you an example, because we've had funding from the Ontario government, we're able to offer our programs at either no cost or sometimes travel cost, depending on where we have to go. Recently a large corporation, which will remain unnamed, had an employee who was very interested in introducing this program and managed to get the ear of a regional manager. We were already down the road of talking about how to create customized webinars for this company. Another manager got a hold of it and said, "No way is this happening. No way is this a corporate company responsibility. If individual franchises want to do this, they're welcome to do it. There's no way we are taking on responsibility for doing this."

It's not my read of the legislation, but this is the kind of response—it's not infrequent that we get those kinds of doors slammed in our face. The only way we get into workplaces is where we have a champion, somebody who understands either the implications for the workplace or has dealt with situations and says, "We really do need help."

The Chair (Ms. Daiene Vernile): Thank you very much. Our next questions for you are from MPP McGarry.

Mrs. Kathryn McGarry: Thank you very much for your presentation—very good statistics and very useful information. We hear a lot about how there shouldn't be a distinction between those who suffer sexual violence and those who suffer domestic violence. Can you respond to that or explain the differences between the two?

Ms. Barb MacQuarrie: Sure. I tend to agree with that. I think that for different reasons historically we've kind of separated things out. I think what we need to understand is that the underlying dynamics are very similar: power and control.

I think that maybe one of the differences, potentially, between domestic violence and sexual violence is the setting and the environment in which it occurs. I'm talking about violence that happens in the home, that follows people to work. It absolutely includes sexual

violence, and sexual violence is very often a component of domestic violence. Our study wouldn't apply to settings in colleges and universities or wouldn't apply to street harassment, which encompasses that, but there's no good reason to see these as separate issues.

Mrs. Kathryn McGarry: Okay. To follow up on that, the needs of the domestic violence survivor: Do you think they would differ very much from the needs of a sexual violence survivor?

Ms. Barb MacQuarrie: If you're talking about the workplace—

Mrs. Kathryn McGarry: In terms of absenteeism and affecting productivity etc.

Ms. Barb MacQuarrie: I think some of the needs are very similar. First of all, there's a need not to be penalized for the fact that you've been victimized. I think that this is, at the root, what Bill 168 tried when it amended the Occupational Health and Safety Act. That was the intent: to make sure that people were more supported. I think we made some mistakes there. Having said that, our Occupational Health and Safety Act and the fact that it even mentions domestic violence is very innovative and very ahead of the curve. I don't know of any other domain that has domestic violence explicitly mentioned in their Occupational Health and Safety Act, so I do want to applaud that.

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On the other hand, we separated out harassment from violence. Domestic violence is seen as a form of violence, and the obligations to deal with harassment and violence are different, with a slightly higher bar for dealing with violence than harassment. Right there, I think, are some problems in terms of the support that might potentially be available to victims of sexual harassment in the workplace.

Many of the needs are absolutely parallel. First, what someone needs is a safe environment in the sense that they can actually disclose what's happened to them without negative reprisals at work. Next, they need to know that the workplace will be engaged in part of a plan to support them, and the workplace is in all instances a location through which we can safely and effectively offer supports. Some of those supports might actually look different. You might be relying on community partners to come in and help you deliver some of those supports.

I think another thing that we need to remember about the legislation—the intent was not to say to employers all of a sudden, "Now you have to become experts in sexual harassment and domestic violence." It wasn't at all, but it was to say, "Now you have to know who your community experts are and you have to start working with them." Again, that has not happened to the extent that I think it could and should.

The Chair (Ms. Daiene Vernile): Thank you very much. Our final questions for you are from MPP Scott.

Ms. Laurie Scott: Thank you very much. Excellent report. Congratulations on being a member of the Order of Ontario—well deserved.

I guess my question is really—it hasn't worked as well as you had hoped it would, that the employers would engage with their employees in more prevention. Is there some other type of carrot, as opposed to the mandatory, to make it happen? Because you're talking about diversity between small companies, big companies. Can you elaborate on that any further for us, some ideas of how to do this in a way that's positive, proactive but yet not intimidating?

Ms. Barb MacQuarrie: Sure. I think that that was the intent of our national survey that I've presented to you: to show employers that there are very real costs to not addressing this in the workplace.

Ms. Laurie Scott: In numbers, for sure, yes.

Ms. Barb MacQuarrie: In numbers. I suppose that any assistance in terms of getting that information out to employers would be a good thing. I've done webinars with the Human Resources Professionals Association. I've done webinars through the Conference Board of Canada.

I think we're at the very beginning again of having employers actually grapple with this. Having a program that's available, that's high profile where there aren't costs attached, having flexibility by being able to deliver webinars if you can't get all your staff together at the same place, same time, is a good thing.

The occupational health and safety legislation does say that every workplace has to provide information and instruction. It doesn't say how that will happen, but it's just being ignored—more than being ignored; it's being actively denied. So I'm not quite sure how to break through that.

Certainly from where I sit, I'll continue to do research, I'll continue to do public education, but I honestly feel that I need the assistance and the help of government to make it clear that there are really good reasons why we're doing this. I also would say that we need the assistance of government to make sure that these programs are accessible and affordable, no matter what size business.

Ms. Laurie Scott: Thank you.

The Chair (Ms. Daiene Vernile): Thank you very much for coming and appearing before this committee today. We invite you, if you wish, to sit in our audience now.

REGISTERED NURSES'
ASSOCIATION OF ONTARIO,
WINDSOR-ESSEX CHAPTER

The Chair (Ms. Daiene Vernile): We continue with our next presenter, and I would call forward the Registered Nurses' Association of Ontario, Windsor-Essex chapter.

Please come forward and take any seat you see along the front here. Make yourself comfortable.

Ms. Debbie Kane: The speaker might be used to this, but this is really scary to me, and I teach classes of 500.

Interjections.

The Chair (Ms. Daiene Vernile): We're going to ask you to make yourself comfortable. Pour yourself a glass of water, if you like. You're going to have 20 minutes to speak to our committee. After that, it will be followed by questions from our committee. So pull the microphone right in front of you—it bends, so you can do that.

Ms. Debbie Kane: I'm usually really loud.

The Chair (Ms. Daiene Vernile): Okay.

Ms. Debbie Kane: So people usually tell me to turn the mike off.

The Chair (Ms. Daiene Vernile): Start by stating your name, and begin any time.

Ms. Debbie Kane: Debbie Kane, and I am a board member with the Registered Nurses' Association of Ontario. I am a Windsor-grown kid. As a faculty member at the University of Windsor faculty of nursing, research into workplace wellness and harassment in the workplace is my background. So I've been doing this for many years. When the opportunity came to speak today, I said, "Oh, but I haven't received any awards like my esteemed colleagues." So again, kudos to you. All I can do is share with you what I have become aware of with my research.

The other thing I wanted to mention—part of me wondered if—my work again is in workplaces and often-times health care workplaces. I also had the opportunity to do a program evaluation at Hôtel-Dieu Grace hospital after Lori Dupont's death. Then I got the email this morning about, "Anything you say without permission can be used against you in a court of law," and I'm like, "Oh, my God, I can't say anything because I haven't checked with anybody," and rightly so. Privacy—you can't say things. But as a researcher, I know that. So I just sort of went through and made sure that I didn't say anything that I didn't have permission to do. My research is published, so that certainly is okay.

The Chair (Ms. Daiene Vernile): Debbie, you may certainly talk to us about some of these cases without using names.

Ms. Debbie Kane: Okay.

The Chair (Ms. Daiene Vernile): If you feel it will help you to illustrate a situation.

Ms. Debbie Kane: Okay. I also know that time is limited. Normally I get three hours to do a lecture, so I'm going to finish—

The Chair (Ms. Daiene Vernile): In three hours, we're going to be in Kitchener.

Ms. Debbie Kane: I know. When they called and told me, "They're 20 minutes early; get over there," I knew that I wasn't going to get 20 extra minutes. So I'm going to just follow my script, and then I think the questions will be an opportunity for me to elaborate.

Good afternoon. I've already said that. I really do appreciate the opportunity to be here today. My academic interests, as I've mentioned, include community and population health, women's health, quality of workplace issues, workplace violence prevention, and recruitment and retention of nurses. When nurses get beaten up, they tend to leave the workplace and not come back. I'd like to provide some additional information for your con-

sideration, drawing from my experience with violence prevention program evaluations.

In spite of increasing awareness, public campaigns and legislative changes to the Occupational Health and Safety Act designed to prevent workplace violence and provide a safe reporting system when it does occur, nurses continue to experience physical, verbal and sexual abuse in the workplace. In a national Canadian study of registered nurses in 2009, 42% reported experiencing physical and emotional abuse; 69% reported just emotional abuse. That was in 2009. Sadly, even in 2012, those numbers have increased. A more recent survey by the Ontario Nurses Association has revealed that 85% of ONA nurses said they experienced verbal abuse in the workplace; 54% had experienced violence in the workplace as well; 39% reported other forms of violence and 19% had experienced sexual violence or abuse on the workplace.

So we're not getting a handle on it. The reporting is going up. It may be because we are more aware of it and so we're reporting it, but we certainly have a responsibility to deal with that, thus the reason why you're all here and participating in these activities.

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I have several recommendations from the project that I worked with, which was a survey, focus groups and interviews with health care workers at Hôtel-Dieu Grace hospital, where a violence prevention program was implemented, asking them how they felt things were in years following up to that. Again, I heard my esteemed colleague mention that, even though things are in place, the environment isn't changing. That's certainly what the nurses told me: that, in spite of having Bill 168, there were still times that they did not feel safe to report. Nurses requested additional or enhanced training—again, I bet you've heard this all through today—to deal with aggressive behaviour from patients, family members and co-workers.

With regard to patients, nurses in high-risk areas for violence would benefit from additional training in violence risk detection and physical intervention strategies. I work with nursing students at a fourth-year level. It's very difficult to prepare someone to be attacked, be it physically or verbally.

To address aggressive behaviour or conflict with all types of perpetrators, employees requested training in verbal communication and conflict resolution. Again, it's something that we don't do very well. At the hospital, they have conflict resolution e-learning that's done at the end of a 12-hour shift. I don't know if I'm the only one honest enough to say, "Yes, I'm just going to flip through it at the end of a 12-hour shift." It's not a good time to be learning. That was another recommendation: We can't do it at the end of our 12-hour shift. Do you want me to save patients or do you want me to do my e-learning? I'm saving patients. How we offer it—if we say we value it, we really have to do it at a better time than the end of a 12-hour shift.

In an effort to create a safe and respectful workplace, employees suggested training on ways to promote a

healthy workplace beyond just conflict resolution. They included bystander interventions. I know that we have procedures in place for that, but very few feel skilled at being able to intervene when they're the bystander.

Regarding the reporting process, fears of experiencing reprisal or retaliation for reporting incidents of violence and harassment negatively influenced how nurses reported violent behaviours. Respondents' recommendations for improvements were similar to those for the general reporting processes in that they wished the process were more visible and equally applied to all groups, including physicians and nurse managers. It's not okay that the nurses have to follow a procedure, but not other people who might be seen as at a higher place in the hierarchy.

Specifically, three recommendations based on the work that I completed: Although the Occupational Health and Safety Act does include wording prohibiting reprisal by an employer, explicit and strong language to protect whistle-blowers concerned about incidents or potential incidents of violence and harassment and other threats to the health of the public would strengthen our health care system.

The Ministry of Labour should review the Occupational Health and Safety Act to include safety from emotional or psychological harm, rather than just physical or implied physical harm, as part of the mandate.

As part of strengthening health outcomes, quality of health care services, inter-professional care and addressing power imbalances, we advocate—

Interruption.

Ms. Debbie Kane: Maybe that was my 15 minutes.

We advocate amending the Public Hospitals Act to replace medical advisory committees with inter-professional advisory committees.

On a broader term, I also felt the need to also mention the whole premise of the meetings, in that it's not okay. This was identified in some of the transcript documents that I was reading, the whole changing of the culture in health care—we hear all the time that the patient didn't mean to do it. But the person still got thrown across the room. The person is still never returning to work. So the culture that it's not okay to have violence against employees really needs to be believed. We need to change the belief that it's okay, that in nursing it's okay if someone smacks you in the head, because they didn't mean to.

It's not an easy thing. When I started at the university 25 years ago, I went to a presentation on violence in nursing, and I remember the person saying, "Well, we just have to start suing people." And I thought, "You can't do that. They don't mean to hit you." It's 25 years later; we still have nurses being physically abused and never returning to work because of the abuse. You also don't get patient care, by the way. When you tell someone—even verbally abuse them, I guarantee you're not getting the best care that you deserve afterwards. It impacts our whole health care system, and we really need to do something about it.

The other thing—because I've been doing work also on the gender disparities in nursing and how is it that in

nursing we can't get more males in nursing. In engineering it's gone up—in medicine it's 50-50, but we're still at about 7% males in nursing. I know that today is about women and violence against women, but I'm just going to throw this out there—so 20 years from now, when you're saying, "Where did I hear that?"—that what's happening, and our surveys are showing us, is that in nursing men are being given the most violent patients. They are reporting more incidents of violence in the workplace in terms of nursing than the female nurses, because they're given the most violent patients. We can't say that we want a more diverse workplace and then put our male colleagues in the most violent behaviour. I'm just going to throw that out there, because I know that that's not the focus, but when we're looking at changing violence in the workplace, we have to make sure that it's not a band-aid, that we're not just replacing who gets hurt.

That actually, I'm going to say, is it. So if there are questions?

The Chair (Ms. Daiene Vernile): We have questions for you, I'm sure.

Ms. Debbie Kane: Okay.

The Chair (Ms. Daiene Vernile): Ms. Kane, you are in very good company, because we have several nurses that are sitting on this committee. Raise your hand if you're a nurse. There you go.

Our first questions for you are going to be from our Liberal caucus, from MPP McGarry.

Mrs. Kathryn McGarry: I'm still a registered nurse.

Thank you very much for coming. You speak the truth. I can name you, time and again, situations where patients were violent, either sexually or physically. We, as nurses, were told that they didn't mean it etc., etc. And our male colleagues—you are quite right—do get the most violent ones, because physically they're of the size; and still in our society, our older clients who are violent respond better to the male authority—no matter what position they hold—rather than the female. That's systemic in the root causes of some of the sexual violence.

I'm interested in a few questions. Certainly, I have been victim of not only a sexual assault, minor as it may have been, at one time and also from patients. I suspect that the more inexperienced nurses certainly have more issues. I'm interested in that whole theme of, how do you reconcile patient care and the employees' safety and rights in some of these cases? Do you have some suggestions on that?

Ms. Debbie Kane: So patients' rights—

Mrs. Kathryn McGarry: Meaning right to care. How do they get the care and how do you reconcile that with the fact that they're violent and employees are getting hurt because of them? Because it's often not just one incident, as we know.

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Ms. Debbie Kane: Right. I'm going to draw from one of the things where I did the evaluation. They had the flagging system where someone had a purple band on them if they were assumed to be violent—not assumed;

usually there had been a violent incident, so they were marked. I did an evaluation of that, and the nurses said, "We're not going to identify them as violent because they didn't mean to and they have a right to care." So I think what we need to do better is—of course everyone has a right to care.

There was an amazing conference I went to on violence in the workplace specific to nursing. One hospital, a mental health hospital in the States—I want to say in the New Hampshire area—didn't have one violent incident. This was highly acute mental health, psychiatric patients. It came down to being well prepared, being able to identify when someone is escalating and ensuring that it's a safe environment, that the patient gets the care they deserve and that the nurse is safe. I know it can be done because there are amazing institutions in our country that are doing it, so we need to spend more time. I don't mean educating the nurse in school because, as much as we're trying to do that, once you get into the workplace you have to continue to get that education because you might not have an incident with a violent patient for 10 years.

In my early days, the only time I had a truly violent behaviour was a 16-year-old with a medical condition that made her confused, and she bit me. This was a long time ago, when you could put restraints on. I'm the one who took the restraints off because I felt so bad for her, and she bit me. I was a brand new nurse and there could have been other ways to do it. Many institutions don't even use restraints anymore and they still don't have violent behaviour.

I guess I'm beating around the bush. It's not something that I could say in this five minutes, but there absolutely are ways to ensure that the patient gets the quality care and the nurse is safe, but it needs a lot of ongoing education and preparation in the health care setting.

The Chair (Ms. Daiene Vernile): Thank you. Our next question for you is from MPP—

Ms. Laurie Scott: Scott.

The Chair (Ms. Daiene Vernile): Scott. I'm sorry; I'm fighting a cold right now and I'm not firing on all cylinders.

Ms. Laurie Scott: Poor thing. We can diagnose you and treat you later. We're nurses.

The Chair (Ms. Daiene Vernile): I know I'm in good hands.

Ms. Debbie Kane: It's the allergies. I bet you're not from Windsor, are you?

The Chair (Ms. Daiene Vernile): No.

Ms. Debbie Kane: The minute you enter our air.

Ms. Laurie Scott: Oh, really?

Ms. Debbie Kane: Yeah.

Ms. Laurie Scott: Okay. Well, there you are. Something more we learned today.

Thank you for coming and presenting. It's very hard to eliminate—you just deal with patients. It depends, right? Emergency rooms, critical care, things that happen—absolutely, there are better ways to handle it; sometimes you don't see it coming, right?

Ms. Debbie Kane: Absolutely.

Ms. Laurie Scott: So it's very difficult. You mentioned the co-workers and enhanced training, not being a bystander maybe for, I'll say, co-workers. You mentioned the education that needed to be there. How prevalent do you find that is, harassment—physical, emotional—with each other, co-workers? Expand a little bit more on that, if you have a few minutes.

Ms. Debbie Kane: Worker to worker.

Ms. Laurie Scott: Worker to worker—nurses, doctors, whatever, but workers.

Ms. Debbie Kane: Right. I say that with the preface that—there's an old saying that nurses eat their young. I really hate that saying.

Ms. Laurie Scott: That's really for political parties, but okay.

Ms. Debbie Kane: I rest my case. In every profession, that can happen. There's also research that shows that it isn't just nursing; it's the helping professions, where you have females that are considered caring but maybe are not as bright and assertive as other colleagues. And so in nursing and education, those individuals have been identified as having more the bullying and the nastiness between each other. But again, it's not unique to nursing. Part of that is, when you don't have a sense of empowerment in your workplace, you may find that you go after your colleague. You have to have managers. So when we talk about managers dealing with violence in the workplace, it starts with something as simple as that nasty behaviour.

There is more and more literature now about incivility—and I can't help but think I know some of you guys deal with that every day—that should not be happening, especially when we talk about a caring profession. How do you go in and care for a patient when you've just stabbed your colleague by withholding information so they can't do their job well—gossiping, nastiness? That is how it can start. When individuals start with the incivility, bullying and, again, just the nastiness, that can elevate.

I know that there is much more research being done now differentiating between what is incivility and what is actually violence in the workplace. Some of the postal worker historical incidents are where they have felt—talk about stereotyping, when we say someone has “gone postal.” It's a stereotype, but the idea is that you feel betrayed, you feel there's no one you can trust, and so you end up lashing out.

What happened to Lori Dupont is so horrible. I actually have students now who say they don't know who she is. No one who is in my class ever graduates from the University of Windsor without knowing who Lori Dupont is and the outcome of that incident and Bill 168 and that you have a right to be safe in the workplace.

The Chair (Ms. Daiene Vernile): Thank you. Our final question for you is from MPP Sattler.

Ms. Peggy Sattler: That's exactly the question I was going to ask. You mentioned that you were involved in an evaluation of the practices that were put in place at

Hôtel-Dieu in the aftermath of Lori Dupont's murder. I wondered if you could talk about some of the findings of that evaluation and some of the gaps, perhaps, in the practices, or some of the promising findings that should be applied in other workplaces.

Ms. Debbie Kane: Much of what I found was not much different than the recommendations as a result of the inquest. The evaluation was actually funded by the Ministry of Health, the nursing secretariat. It was obviously a very difficult time, because as an outsider, I am there trying to do an evaluation, while they're just trying to survive. But there are things that came out; for example, that review committees—when we're talking about reporting processes, it has to be more than just the physicians at the top of a hierarchy. You need committees that consist of a diversity of individuals; not just medicine, not just nursing—social work, nutrition, staff, dietary. You need a combination of individuals.

What was interesting to me: Individuals felt no safer after the program was implemented; as many felt safe after as had felt safe before—but it did indicate that it was a different group, possibly depending on where you worked, how involved you had been. But in terms of looking at, “Do you feel safe now that there's a reporting system in place?”—the code white was intensified, but that was also identified in the inquest. Code white wouldn't have mattered. It happened in seconds.

I had a couple of nurses share with me. One was sexually assaulted by a patient. She said, “I am at the end.”

Are you from Windsor?

Ms. Peggy Sattler: I'm from London.

Ms. Debbie Kane: Okay. Well, I've been lost in the bowels of London Health Sciences Centre, so it's not that different.

A patient had her cornered in the bathroom and was sexually assaulting her. She had a—you know what the PAL is, the code white. It was too late. She had already been assaulted by the time anybody got there, because it takes seven minutes to run from one end to the other. This elevator only goes here and that elevator only goes there, so there are instances. Now, the nurses tell me that it is safer today than it was 10 years ago. They do feel safer about it.

The reporting process, to me, is one of the things we can do something about. That's really critical, that you feel safe if you've had a violent abuse incident, be it sexual, physical, verbal: that you can report it and know it will be treated respectfully and you won't be retaliated against.

Some felt the follow-up was too quick: “Well, I had to think about it.” What that actually tells us is that we need a better support system for those who are reporting, because once they have time to listen to their colleagues who tell them, “She didn't mean it,” “He didn't mean it,” or “Oh, he's the nicest doctor in the world. He didn't mean it”—one young student said to me that he nibbled her neck. I'm like, “What do you mean, he nibbled?” “Well, he was goofing around” and kind of kissing her neck, and I'm thinking, “I'd have hit”—is this on tape?

Interjection: Yes.

The Chair (Ms. Daiene Vernile): Ms. Kane, on that note, we will say thank you very much for coming and appearing before this committee today. You've provided some very interesting information for us.

And thank you to everyone here in the committee room. Committee members, thank you for all of your work. We stand adjourned until 8 a.m. tomorrow morning in Kitchener-Waterloo.

The committee adjourned at 1442.

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