SEXUAL VIOLENCE RESPONSE PROTOCOL

RESPONDING TO DISCLOSURES OF SEXUAL, INTIMATE AND FAMILY VIOLENCE

DECEMBER 2016
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*For information on community and university resources: svrp.mcmaster.ca

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For more information contact:  
Sexual Violence Response Coordinator  
Equity and Inclusion Office  
MUSC (Student Centre) Room 212  
Telephone: 905.525.9140 x 20909  
E-mail: rossm4@mcmaster.ca  
Website: svrp.mcmaster.ca
A MESSAGE FROM THE PRESIDENT

McMaster University places the highest priority on ensuring that the campus is welcoming, safe and inclusive for all members of our community.

The Sexual Violence Response Protocol is designed to assist all members of the university community who may receive disclosures of sexual violence in providing a consistent and supportive first response to survivors. The Protocol and the associated website (svrp.mcmaster.ca) map out the supports, services and options available to students, faculty, and staff if they experience sexual, intimate or family violence or the threat of such violence.

Students, staff and faculty have participated in the design of the Protocol and website with the goal of ensuring that the University’s processes are firmly grounded in current social realities. Their work builds on the knowledge and best practices of community organizations experienced in supporting survivors of sexual violence, some of whom are generous partners in McMaster’s efforts. Their work also builds on current research and scholarship that challenges the conditions sustaining sexual violence and illuminates its shifting dynamics and forms.

As the next step, the University will proceed in the same inclusive and evidence-informed manner to develop a sexual violence policy. We will also be undertaking ongoing evaluation of our practices and our progress in addressing and preventing sexual violence.

Patrick Deane
President and Vice-Chancellor

Acknowledgement:
The foundation for this Protocol was developed by the Project Coordinators for IT’S TIME to End Violence against Women on Campus: Alicia Ali, Areej Siddiqui and Meaghan Ross. IT’S TIME was initiated in 2012 at McMaster by SACHA (Sexual Assault Centre Hamilton & Area) and the YWCA Hamilton. Funded by Status of Women Canada, the project was guided by an on-campus Advisory Committee that consisted of students, staff and faculty representation from diverse areas of campus life.
This document primarily uses the term ‘sexual violence.’ However, the Protocol is also applicable when responding to disclosures of other forms of gender-based violence, including (but not limited to) intimate and family violence. Please see the definitions section on page 13 for more information.

“Response Protocol” and “Sexual Violence Response Protocol” are used interchangeably throughout the document.

PURPOSE OF THE SEXUAL VIOLENCE RESPONSE PROTOCOL (RESPONSE PROTOCOL)

The purpose of the Response Protocol is to assist all members of the McMaster community in providing a consistent and supportive first response to individuals who disclose experiences of sexual and gender-based violence.

The Sexual Violence Response Coordinator is available to all members of the University community seeking support or information related to sexual violence, or who may have questions about this protocol. Contact: Meaghan Ross at 905-525-9140 x20909 or rossm4@mcmaster.ca.

For more on the role of the Sexual Violence Response Coordinator, see page 12.

SCOPE OF THE RESPONSE PROTOCOL

The Protocol and its provisions apply to:

- **All members of the McMaster University community** which include but are not limited to: students (graduate, undergraduate, domestic, international and continuing education), staff, faculty, postdoctoral fellows, medical residents, adjunct professors, librarians, visiting professors, volunteers, visitors, invited guests, and institutional administrators and officials representing McMaster University.

- **All University-related activities** which include but are not limited to: activities occurring in the course of work or study assignments on all University premises or off-campus and where there is a clear nexus to the campus community (co-op placement, clinical placement, internship, practicum, etc.); at work or study-related conferences or training sessions; during work or study-related travel; during events such as public lectures, performances, club events, socials or sports activities or athletic events; or over the telephone or online.

- **All instances of sexual violence** that have occurred or are occurring: a) during University-related activities (as defined above); or b) are experienced by a member of the University community (as defined above) and may have continuing and negative effects within the residence, educational or employment setting.
**McMASTER UNIVERSITY’S COMMITMENT**

McMaster University is committed to taking action to prevent and respond to all forms of sexual and gender-based violence (see the definitions section on page 13 for more information).

McMaster’s commitment includes:

- Placing the highest priority on survivor safety and ensuring that the campus is welcoming, safe and inclusive for all members of our community;

- Communicating that sexual violence is not - and will not be - tolerated and will be actively addressed on an ongoing basis;

- Ensuring that all McMaster University students (graduate, undergraduate, domestic, international and continuing education), faculty and staff know where to go for help and are reassured that University policies are in place to respond in a timely and sensitive manner to sexual violence or the threat of sexual violence;

- Encouraging any member of the McMaster University community who has experienced sexual violence to access the confidential supports that are available to them on campus and in the Hamilton and surrounding community;

- Delivering educational programs that challenge attitudes and behaviours that support rape culture and that are aimed at the prevention of all forms of gender-based violence;

- Providing counsellors and trained staff to support survivors who have experienced sexual violence, intimate and family violence;

- Ensuring that counsellors and educators are current and knowledgeable about the diversity of manifestations of sexual violence and the particularity of its impacts for different campus communities;

- Ensuring that counsellors and educators understand that sexual violence is linked to gender inequality experienced by women and by trans and gender non-conforming individuals;

- Providing responses to sexual violence that are informed by an awareness that individuals may be targeted because of race, ability/disability, Indigeneity, sexual orientation, non-normative gender identity and gender expression, religion/spirituality, age, citizenship and/or socio-economic status and may have need of diverse and culturally appropriate supports and services.

**COMMITMENT TO SURVIVORS**

Sexual violence can have negative and different impacts on a survivor’s physical, mental, emotional, spiritual and social health and wellbeing. McMaster University recognizes the possible traumatic effects of violence and is committed to providing appropriate and respectful emotional support and information about options available to survivors. Survivors can expect to:
- Be treated with dignity and respect;
- Be provided with non-judgemental and empathic support;
- Be provided with timely safety planning assistance;
- Be informed about on and off-campus support services and resources available to them;
- Receive survivor-driven information, supports and services appropriate to their social identities including race, sexual orientation, gender identity/expression, faith, disability, Indigeneity;
- Be provided academic and work accommodations as appropriate;
- Determine whether and to whom they wish to report an incident of sexual violence;
- Determine whether to pursue criminal or non-criminal reporting options;
- Have reasonable and necessary actions taken to prevent further unwanted contact with the alleged offender(s).

McMaster University is committed to providing survivor-driven supports and information and to ensuring, wherever possible, that the survivor retains control of the processes referenced above. Survivors are encouraged to contact the Sexual Violence Response Coordinator (905.525.9140 x 20909 or rossm4@mcmaster.ca) to discuss the range of options available to them following an incident of sexual violence.

There may be times when offices of the University find it necessary to take action to protect the survivor and the community from danger - even without the express consent of the survivor. In these situations, every effort will be made to ensure that the survivor is informed about required actions and, as much as possible, given the opportunity to provide input into decisions to be made.

CONFIDENTIALITY

If you receive a disclosure concerning sexual violence, it is important that you inform the person making the disclosure of your commitment to keep confidential all information that is provided.

It is also important to inform the person disclosing information that there are limits to confidentiality (as outlined below).

If the person making the disclosure wishes to speak with someone other than yourself, you are advised to refer them to the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca. If outside business hours refer to the Sexual Assault Centre Hamilton & Area 24hr Support Line at 905.525.4162. **Please note:** this referral should be made **before** the person discloses the details of the incident(s) of sexual violence and/or any identifying information about involved parties.
An avenue for disclosing sexual violence anonymously enables survivors to access information and support without identifying themselves. Campus members wishing to remain anonymous may contact the Sexual Violence Response Coordinator; however, anonymity cannot always be guaranteed. Please see limits to confidentiality below.

**Limitations to Confidentiality**

There are limits to what can be held in confidence when:

- The individual disclosing information is in physical danger.
- The individual is at risk of causing harm to themselves or to another person.
- There are reasonable grounds to be concerned for the risk of future violence.
- There are reasonable grounds to be concerned that others in the campus and broader communities may be at risk of harm based on the information that has been disclosed.
- Reporting is required by law; for example, the suspected abuse of someone under the age of 16 or to comply with the Occupational Health and Safety Act.

If you are unsure about the limits to your confidentiality, consult with the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca.

Anyone receiving a disclosure is advised to take the following steps:

- If you perceive harm to any member of the community on University property, contact McMaster Security Services. Dial 88 from any on-campus phone. If you are off-campus, dial 911.
  **Please note:** McMaster Security Services has a duty to report any possible criminal activity, including sexual violence, to the Hamilton Police Services.
- If you suspect that an individual under the age of 16 is, or may be, in need of protection, you have a legal responsibility to contact one of the local child welfare agencies or the Hamilton Police Services at 905.546.4925. The requirement to protect children extends to child witnesses to family violence, suspected physical, sexual and emotional abuse, neglect, and risk of harm. For more information, consult the Child and Family Services Act s.72. (http://www.children.gov.on.ca/htdocs/English/topics/childrensaid/reportingabuse/abuseandneglect/abuseandneglect.aspx).
  **Please note:** Except in instances of risk of imminent harm to children, it is preferable that you
support and encourage the survivor to contact the relevant authority themselves and allow them to control the timing of the report. Nonetheless, the person receiving the disclosure still has a legal obligation to follow up with the relevant agency to ensure that the report was received.

- If the survivor and the alleged offender are involved in legal proceedings related to the incident of violence, the person making the disclosure should be informed that reports made to McMaster Security Services and counselling records or notes made by other University offices may be subject to a subpoena.

In addition to the above:
- All regulated health professionals (e.g., doctors, social workers) are obligated to report suspected sexual abuse of a patient by a regulated health professional to that professional’s governing body if this information is acquired during the course of their practice. For more information, consult the Regulated Health Professions Act, 1991. ([http://www.elaws.gov.on.ca/html/statutes/english/elaws_statutes_91r18_e.htm](http://www.elaws.gov.on.ca/html/statutes/english/elaws_statutes_91r18_e.htm))
- Police are required to investigate reports of domestic violence and to lay charges when there are reasonable grounds to do so. Police may lay charges even in circumstances where the survivor does not want charges to be laid.

**Limitations to confidentiality may also apply to members of the University community in the following circumstances:**

- You may be required to disclose identifying information in the case of an investigation if the accused is a member of the McMaster community, or if the incident(s) took place on McMaster property, or during a University sponsored event.
- You are required to report incidents of violence to your Residence Manager, and, you may be required to participate in investigations if you are a Residence Community Advisor.
- You are required to report any threats or incidents of workplace violence to your supervisor, a person in authority or to McMaster Security Services, as per the McMaster University policy on Violence in the Workplace. ([http://www.workingatmcmaster.ca/ehs/prevention/workplace-violence/](http://www.workingatmcmaster.ca/ehs/prevention/workplace-violence/))

**Please note:** You are responsible for maintaining the confidentiality of all parties when consulting with other individuals and offices, unless you have obtained explicit consent from the survivor to the disclosure of information. Even in the case of an investigation or subpoena, information must be shared judiciously. In the case of a subpoena, you are advised to refrain from sharing any information unless you have consulted with legal counsel through your supervisor/manager.
If You Receive a Disclosure of Sexual, Intimate or Family Violence:

1. Ascertain Safety
2. Inform Survivor of Limitations to Confidentiality
3. Listen Without Judgement
4. Discuss Community and University Resources
5. Explore Safety Planning
6. Follow Up
7. Refer the Individual to the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca.

1. Ascertain Safety

Ensure that the disclosure takes place in a quiet area where privacy is protected.

Ask: “Is your safety at risk?”

- If the safety of the survivor or any other member of the community is at risk, contact McMaster Security Services at 905.525.9140 x 24281 or dial “88” from a University phone.

- If you are witnessing a current act of violence on campus, contact McMaster Security Services at 905.522.4135 (direct line) or dial “88” from a University phone.

- If safety is not at risk, ask the individual if they would prefer to move to a more comfortable/private location, such as an office, an empty classroom, or the office of the Sexual Violence Response Coordinator, MUSC (Student Centre), Room 212.

2. Inform the Survivor of Your Limitations to Confidentiality

It is your responsibility to inform the person making the disclosure of any limits to confidentiality before they disclose identifying information. If in doubt, offer to refer the individual to the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca to discuss issues and guarantees related to confidentiality. (See Confidentiality section above).

3. Listen Without Judgement

A supportive and validating initial response to disclosures of sexual violence makes a significant difference for survivors who may be apprehensive about sharing deeply personal or difficult information. Here are some ways you can communicate support and concern:

- Let the survivor maintain as much control over the pace of the disclosure as possible. Allow them to finish without interrupting. Offer breaks when needed.
- Listen carefully to what the survivor says and acknowledge the courage it took for them to come forward. Ask if they would like to contact a member of their support network to be with them while you clarify additional supports and resources that would be useful to them.
• Do not make dismissive or victim blaming comments. Questioning what the survivor was wearing or suggesting that the assault wasn’t “that bad” may result in the survivor feeling judged, disbelieved, blamed or a range of other negative emotions.

• Refrain from asking the person to disclose specific details about the incident. Intrusive questioning about the assault may cause the survivor to feel that they are being interrogated and may heighten their sense of vulnerability.

• Be careful about physical contact. Only make limited physical contact with the person with their consent; e.g., a touch on the shoulder or a gentle hug. Some survivors may be upset or anxious about physical contact following an assault.

• Create time and space for the individual to determine what decisions best suit their particular circumstances. Do not impose decisions on the individual who has trusted you with the disclosure.

4. Discuss Community and University Resources

An important part of being helpful to a person who has experienced sexual violence is to provide them with comprehensive information about their options and the resources that are available to them (svrp.mcmaster.ca). Navigating community and university resources after experiencing sexual violence can be difficult. Your role is to assist the survivor in locating resources that they need and want.

Ask: “Would you like to discuss some community and university resources that might be useful for you at this time?”

If the sexual assault took place within the last 7 days, or if there are injuries from physical assault, inform the individual of the Sexual Assault/Domestic Violence Care Centre (SA/DVCC) of Hamilton: 905.521.2100 x 73557 or visit www.hhsc.ca/sadv.

If the survivor wishes to call a University office or community agency, offer to sit with them as they place the call.

If the survivor gives you explicit permission to place the call on their behalf:

• Identify yourself by name and position at the University.
• Note that you are calling for someone else.
• Ask any questions the survivor wishes answered.
• Be sure to note the name, email address and extension number of a specific person with whom the survivor may follow up.

If appropriate and feasible, offer to accompany the survivor to any of the University or community resources of their choice.

Ask the survivor if it is safe for them to be in possession of hard copies of information about resources. If they think that having this information may jeopardize their safety or risk exposure, reassure them that they may revisit the information with you at a later point as required.
Respect the survivor’s right to choose whether to report the incident(s) to McMaster Security Services or to Hamilton Police Services. Explain that reports to McMaster Security Services will be referred to Hamilton Police Services. **Do not report the incident(s) yourself** (see Confidentiality, page 6).

Do not pressure the survivor to seek further assistance if they decline to do so.

**5. Explore Safety Planning**

I. Safety planning involves anticipating risks to an individual’s safety, and developing concrete strategies to manage these risks to reduce the impact of recurring violence. Your role is to assist the person making the disclosure in planning for their safety once your conversation ends, and to direct them to a community support worker if needed (svrp.mcmaster.ca).

Ask: “Do you have any concerns for your safety as you leave [your location] today?”

Individuals may minimize concerns for their safety. Support the survivor in identifying their safety concerns.

For on and off-campus accommodation options, follow link to website: svrp.mcmaster.ca

II. If you are in a position of authority over the survivor (e.g., if you are their supervisor, manager, or instructor) you are responsible for creating a safe environment while the individual is at work or in class as per the McMaster University Policy on Violence in the Workplace: [http://www.mcmaster.ca/policy/Employee/Violence%20in%20the%20Workplace%20Policy.pdf](http://www.mcmaster.ca/policy/Employee/Violence%20in%20the%20Workplace%20Policy.pdf)

Ask: “How can we ensure your safety at work and/or in class?”

You may offer to screen calls and visitors, remind administrative staff to keep all information confidential, relocate their office to a safer part of the building, or make alternate work or study arrangements to increase the survivor’s safety. You may also offer to update emergency contact information or arrange for an escort to and from their vehicle or to the bus stop by contacting the Student Walk Home Attendant Team – SWHAT, x 27500 or visit MUSC 204. For more options visit the Resources section of the website: svrp.mcmaster.ca.

For more information on preventing violence in the workplace, see Program & Guidelines on Violence in the Workplace at [http://www.workingatmcmaster.ca/med/document/McMaster-University-Workplace-Violence-Program-1-36.pdf](http://www.workingatmcmaster.ca/med/document/McMaster-University-Workplace-Violence-Program-1-36.pdf) or consult with the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca.

**6. Follow Up**

Make a plan to follow up with the individual, and follow up in the agreed-upon way. Ask if they are in need of any support or information. Offer concrete examples of ways in which you are able to provide additional assistance.

If you have questions or concerns, please follow up with the Sexual Violence Response Coordinator at 905.525.9140 x 20909 or rossm4@mcmaster.ca. It is your responsibility to maintain the anonymity of all parties when consulting with any other office or individual.
7. Refer the Person to the Sexual Violence Response Coordinator

Ask the survivor if they would like more information about the role of the Sexual Violence Response Coordinator in the Equity and Inclusion Office. The Sexual Violence Response Coordinator can assist with the following as requested by the survivor:

- Assist with safety planning;
- Facilitate referrals to community agencies and University resources;
- Coordinate academic accommodations through respective Faculty Offices;
- Coordinate temporary or permanent housing relocation for students in residence through Residence Life, or off campus through community agencies;
- Coordinate referral to on and off campus medical services;
- Coordinate emergency financial assistance through the Student Financial Aid Office (for students) at 905.525.9140 x 24319;
- Coordinate referrals to on and off campus trauma-informed counselling services;
- Provide information about criminal and non-criminal reporting options;
- Assist with decision making and navigating University processes or legal systems;
- Manage the flow of information amongst departments or offices, with explicit and informed consent from the survivor.

It is important that people supporting survivors and/or receiving disclosures access support for themselves. If you would like to speak with someone, you can call the Sexual Assault Centre Hamilton & Area 24hr Support Line at 905.525.4162 or speak to the Sexual Violence Response Coordinator.

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Website: svrp.mcmaster.ca
DEFINITIONS

**Anonymity** is the concealment of identity and identifying information.

**Confidentiality** refers to the obligation of an individual or organization to safeguard entrusted information. The practice of confidentiality includes obligations to protect information from unauthorized access, use, disclosure, modification, loss or theft. Confidentiality differs from anonymity in that the identity of the person making the disclosure is known to the person receiving the disclosure.

**Consent** is approval, given freely, willingly, and knowingly by each participant to desired sexual involvement. It must be given through ongoing communication by words and actions. It occurs continuously and moment to moment. Consent cannot be assumed or implied. Consent cannot be given if a person’s ability to resist or consent is substantially impaired. Examples where consent cannot be given include, but are not limited to being: unconscious, frightened, physically or psychologically coerced, intimidated, substantially impaired because of voluntary intoxication, substantially impaired because of the deceptive administering of any drug, intoxicant or substance. Where there exists a significant power imbalance (e.g., a student in relation to an instructor, an employee in relation to a supervisor) questions may arise in legal or other formal proceedings about whether consent was or could be freely given.

A **Criminal Report** occurs when a person reports an experience of sexual violence to the police or security. Filing a report with McMaster Security Services will result in an investigation by Hamilton Police Services.

A **Non-criminal report** occurs when a person notifies a university official of an experience of sexual violence to be followed up through a university policy such as the Student Code of Conduct, Residence Code of Conduct, or Violence in the Workplace Policy.

A **Disclosure** occurs when a survivor shares information about their experience of sexual violence in order to receive support and/or information about their options.

**Gender-based violence** refers to violence that targets individuals because of perceptions about their gender identity, which can include violence directed at members of queer and trans communities, and those whose gender identity does not conform to a gender binary.

**Family violence** can include intimate or sexual violence and can also extend to children, parents, grandchildren, grandparents or other family members and may also include close family friends, guardians or caretakers.

**Intimate violence** takes place within an intimate relationship such as marriage, domestic partnership, casual or long-term dating or sexual relationship, or former relationship. Such violence can occur between same sex, same gender, or heterosexual partners and it can take many forms including physical assault, sexual violence, psychological, emotional or spiritual violence, torture, financial abuse, and control of movement and of social contacts.
**Sexual assault** is any non-consensual sexual activity, including but not limited to touching, grabbing, kissing, fondling, and oral, anal, or vaginal intercourse.

**Sexual violence** is a broad term that describes any violence carried out through sexual means or by targeting sexuality. This violence takes different forms including sexual abuse, sexual assault, rape, incest, childhood sexual abuse, and rape during armed conflict. It also includes sexual harassment, stalking, indecent or sexualized exposure, degrading sexual imagery, voyeurism, cyber harassment, trafficking and sexual exploitation.

**Survivor** is a term commonly used in feminist anti-violence organizations instead of the term ‘victim,’ which is sometimes perceived as disempowering. A survivor is any person who has experienced sexual violence.

A **Survivor-Driven Response** is one in which the survivor directs the process and chooses the best options for them given their particular circumstances.

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