



“Good People with Good Intentions”: Deconstructing a Post-Secondary Institution’s Sexual Violence Policy Construction

New research by **Irene Shankar** and **D. Scharie Tavcer** finds that that despite members’ intentions, the committees that construct post-secondary institutions’ sexual violence policies lack essential expertise and produce flawed results.

CONTEXT

There are many signs that sexual assault policies at Canadian universities are flawed. A 2017 analysis by a student group assigned a C- grade to the policies of a dozen Ontario post-secondary institutions (PSIs). Other research has found substantial undercounting of sexual assaults by PSIs, even amid rising numbers of reported incidents. And many institutions have made news for their (mis)handling of sexual violence cases. Examples include the University of Manitoba, Brandon University, Brock University, Dalhousie University, University of British Columbia, University of Toronto, and York University.

Canadian and American statistics indicate that approximately 20-25% of women have experienced sexual assault, and that one in five experienced sexual assault during their post-secondary education. Canadian PSIs lack consistent data collection practices, and many do not gather or disclose statistics on sexual violence – a gap that some observers attribute to a lack of federal legislation directed at PSIs. But how sexual violence is understood within PSIs continues to present its own barriers to a meaningful victim-centered response.

OVERVIEW

This study examined the expertise and understandings of people tasked with creating campus sexual violence policies, and the constraints within which they worked. Using an undergraduate university as a case study, we interviewed committee members tasked to draft the university’s sexual violence policy and protocol. These included academic administrators and staff from health services, the human rights office, legal services, the office of student conduct, and security services. No faculty, researchers, or community experts were included, despite faculty experts asking to participate (consistent with Perkins & Warner’s (2017) findings of relevant stakeholders being omitted from policy-making). The committee and others maintained that their understanding of policy, law, and institutional risk made them uniquely qualified to develop policies.

KEY FINDINGS

- Committee members reiterated the importance of protecting the university through policies and protocols.
- Universities, as institutes of learning, also have a pivotal role to play in addressing online sexual violence. They must engage with law students and frontline university administrators to educate them on the

nuances of online sexual violence and the limits of free expression.

- Participants appeared to be more concerned about the potential for detrimental comparison to other PSIs than about how institutional data on sexual violence can address the needs of those affected.
- The group was unclear on institutional data on sexual violence, existing protocols, and on-campus services for victims.
- Lack of information-sharing was partially due to confusion regarding jurisdiction along with committee roles that were not clearly defined or communicated.
- Participants consistently invoked “complexity” as a barrier to developing intersectional policies on sexual violence. In other words, the prevailing institutional inaction and absence of intersections of race, sexuality, disability, and sexual violence analysis within PSI policies was justified using the rhetoric of complexity.

QUESTIONS AND IMPLICATIONS

Our findings indicate that those tasked to complete this work are good people with good intentions: genuinely invested in doing the right thing and creating sound policies and services. However, the exclusion of sexual violence specialists from policymaking committees, a disconcerting finding from our study, makes such bodies ill-equipped to construct meaningful policies. Committees are further constrained by the overrepresentation of administrators responsible for strengthening the institution’s image, mitigating risk, and protecting it from litigation. Consequently, it is not surprising that PSI sexual violence policies (such as the University of Brandon’s non-disclosure agreements) often centre institutional interests instead students and victims. Protocols that prioritize the university’s interests are a logical result of committees that are dominated by administrators, that omit subject experts, and whose members lack knowledge and training about sexualized violence.

Responding to sexualized violence requires collaborative action from all PSI departments, bodies, and service providers. However, insufficient and precarious funding often leads to protectiveness of departmental resources and a wariness of sharing and collaboration. Thus, those creating policies are often working in silos within a culture of fear. PSIs need sustained and secure funding to provide a safe environment for students, faculty, and staff alike. PSIs also need to include experts, consult with existing community service providers, and integrate the abundance of research on the intersectionality of sexualized violence into their policies and protocols.

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FOR MORE INFORMATION

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