



PRIVATE & CONFIDENTIAL

Report to:

University of King's College

Per: **William Lahey**
President, University of King's College

May 20, 2022

RE: Independent Review for the University of King's College

Interim Report

Prepared by:

Elizabeth Bingham and Janice Rubin
RUBIN THOMLINSON LLP
20 Adelaide Street East, Suite 1104
Toronto, Ontario M5C 2T6
Telephone: 416-847-1809
Email: ebingham@rubinthomlinson.com
www.rubinthomlinson.com

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1. Introduction and Mandate

In February 2021, the University of King's College ("King's") retained Rubin Thomlinson LLP to conduct an Independent Review on the accusation of sexual assault against Dr. Wayne Hankey.

Our terms of reference had two parts. First, we were asked to make findings and recommendations related to the historical allegations against Dr. Hankey and the sanction that King's imposed on Dr. Hankey in 1991. Second, we were asked to make recommendations on the steps King's must or can take to ensure that it provides a safe environment for all members of its community in accordance with the commitments it has made in its *Sexualized Violence Awareness, Prevention and Response Policy* ("the Policy").

This interim report concerns the second aspect of our mandate. A final report on the first aspect is forthcoming.

2. Conduct of the Independent Review

Between February 2021 and January 2022, we focused on the aspect of our mandate that relates to the historical allegations against Dr. Hankey. The steps we took in this regard will be detailed in our final report. We also conducted a review of the Policy, which will be detailed in section 4 below.

In January 2022, we turned our attention to the present-day aspect of our mandate. The process we followed is detailed below.

a) The Survey

In order to make recommendations on the steps King's must or can take to ensure that it provides a safe environment for all members of its community in accordance with the commitments it has made in the Policy, we decided

to ask King’s community members for their thoughts about and experiences with this issue via a survey. We drafted a survey and, after receiving feedback from King’s, finalized the survey in the online survey platform Survey Monkey.

In the survey’s preamble, participants were advised that they could participate in this process anonymously and confidentially. They were further advised that the only exception to this would be if they disclosed information that suggested an individual was at risk of harming themselves and/or others, or if there was a legal obligation to report something to the authorities (such as an incident of sexualized violence involving a person currently under 16 years old).

The survey asked questions about the working and learning environment at King’s, the Policy and training on the Policy, and participants’ perception of or experience with sexualized violence at King’s and King’s response to this issue. At the end of the survey, participants could choose to identify themselves and provide their contact information for the purposes of participating in a one-on-one interview. A copy of the survey is attached to this report as Appendix “A.”

On January 11, 2022, King’s distributed a link to the survey to all members of King’s faculty and staff, all current students, and alumni from the classes of 2019, 2020, and 2021. These alumni were selected because they would have attended King’s during and after the 2018 adoption of the Policy. The deadline to complete the survey was January 25, 2022.

Following feedback from participants, the survey link was also sent to former Foundation Year Program (“FYP”) Fellows.¹ These participants also

¹ FYP Fellows are contract instructors in FYP, a program for first year students.

had two weeks to complete the survey, between and February 16 and March 2, 2022.

In total, 1,828 people were invited to participate in the survey. We received 273 responses to the survey. The breakdown in participation was as follows:

Staff	29 (10.62%)
Faculty	21 (7.69%)
Undergraduate Students	133 (48.72%)
Graduate Students	9 (3.30%)
Alumni	81 (29.67%)

The results of all survey questions with quantitative responses are attached to this report as Appendix “B.”

b) The Interviews

We received 66 requests to participate in one-on-one interviews. We began reaching out to those who requested a one-on-one interview by email on January 24, 2022. Ultimately, we conducted 43 interviews between January 24 and February 24, 2022.²

The interviews were conducted by Elizabeth Bingham, Janice Rubin, and fellow Rubin Thomlinson investigator Melody Jahanzadeh. At the beginning of their interviews, participants were advised of the same anonymity and confidentiality provisions as set out in the survey preamble. During the interviews, participants were encouraged to share anything they had not included in their surveys, anything they wanted to expand on, or anything that they wanted to highlight for the purposes of the Review

² The remaining 23 participants either did not respond to our request to schedule an interview, indicated that they were no longer interested in participating, or had provided contact information that was unreachable.

process. Participants were also asked if they had any suggestions or recommendations they would make to King's.

c) Presentations and Feedback

After the interviews were completed, we drafted this report. We also created a presentation on the contents of this report to provide to stakeholders in order to solicit feedback before the report was finalized. We delivered this presentation to staff, faculty, and students on March 22, 2022, and to King's Board of Governors on April 12, 2022. In each presentation, we invited participants to provide their thoughts and/or suggestions about the contents of the report to us. We also told participants that they could contact us by email for the same purpose. We received feedback from some participants, which we have considered and incorporated into the report where applicable.

3. Information Gathered

In this section, we have included a summary of the information provided in the qualitative responses to the surveys and in the interviews. It is important to note that the information included in this section represents the subjective experiences of those who participated. We did not test the information, for example, by sharing information as allegations or by seeking responses, and we have not made factual findings related to the concerns. The information included in this section represents the experiences of participants as they have chosen to express them.

Where we have quoted participants below, we have used the participant's own words, although in some cases we have lightly edited them for spelling, clarity, and/or confidentiality.

As agreed upon at the beginning of the survey process, we have not attributed any information to a particular participant, nor have we presented participants' experiences in a level of detail that might allow a particular individual to be identified as the source of the information.

To assist in understanding the frequency with which issues or concerns were identified to us, we use the following ranges to denote frequency of response: "one" (1 person), "some" (2-5 people), "several" (6-10), "many" (over 10 people).

With one exception, which will be noted below, themes were identified because they were subjects that we heard about from many people. Below, we detail relevant contextual information related to the themes. We have then organized the themes into three categories – Culture, Student Life, and Policy and Procedure – each of which is considered in turn below.

We note that, as is to be expected in a review process of this scope, participants did not always agree, and their opinions and perspectives on the issues discussed sometimes differed widely. For most of the themes below, there were at least some participants who expressed opinions that were contrary to the views of the majority. However, in the interests of providing a coherent basis upon which to provide recommendations that will allow King's to take action, we have endeavoured to reflect the views of the majority of participants on each of the themes discussed, rather than summarizing individual responses.

a) Contextual Information

We believe that several contextual factors are relevant to a full understanding of the themes below.

i. Positive feedback

While we heard from many participants about issues that King's faces and areas for improvement, we also heard many positive comments about the working and learning environment at King's. In general, participants told us that they valued the unique, close-knit environment at King's. Students and alumni told us that they had greatly benefitted from learning in this environment and that they had formed strong connections with peers and mentors during their time at King's. Faculty and staff similarly described close and supportive relationships with their colleagues and told us about the value of teaching small classes of students.

More specifically, we heard that participants had perceived a positive shift in King's response to sexualized violence after the adoption of the Policy and the creation of the role of Sexual Health and Safety Officer ("SHSO"). As will be discussed in further detail in section d) i) below, we heard overwhelming support for the work that the current SHSO, Jordan Roberts, has done and continues to do. Many participants also expressed the feeling that King's administration took the issue of sexualized violence seriously and saw this review process as a sign of transparency and accountability.

ii. Student leadership

We wish to acknowledge the strong student leadership at King's, which we benefitted from and which we understand was one of the driving forces behind the adoption of the Policy and the creation of the SHSO role.

We were consistently impressed by students' passion, thoughtful advocacy, and commitment to each other's safety and commend them for this work.

iii. Survey and interview context

Survey and interview participants told us about two contextual factors that they felt may have affected their responses.

First, because of the COVID-19 pandemic, many student participants' time at King's as of early 2022 had been mostly or entirely virtual. Several participants explicitly noted that they felt this affected their ability to comment on the culture at King's.

Second, for many alumni participants, the Policy was not in place for at least some of their time at King's. Several of these participants told us that the experiences they described and/or the perceptions that they shared in their survey responses and interviews dated to the time prior to the adoption of the Policy. Several also noted that they assumed that things had changed or would be handled differently now that the Policy was in place.

b) Culture

Participants told us about several aspects of the culture at King's that they felt created vulnerability to sexualized violence and/or made those who experience sexualized violence at King's reluctant to report it.

We have organized this feedback into five themes, which are discussed below: the impact of historical allegations; culture of silence; gossip, rumours, and a fear of reporting; boundaries between professors and students; and elitism and privilege.

i. The impact of historical allegations

Many participants spoke about the historical allegations against Dr. Hankey in their survey responses and interviews. Specifically, many participants told us about hearing rumours regarding Dr. Hankey's conduct or about

being warned about Dr. Hankey by upper year students or by friends or family members who had attended King's. Some student and alumni participants specifically noted that they heard about the allegations against Dr. Hankey within days of starting their studies at King's, or that they were told about Dr. Hankey before they started school.

Participants described two related effects that the pervasiveness of rumours about Dr. Hankey's sexual misconduct had on their perception of King's. First, we heard from many participants that the fact that King's continued to have a relationship with Dr. Hankey, despite these rumours, caused them to feel that King's did not take allegations of sexual misconduct seriously. Participants told us:

- The (alleged) assaults perpetrated by Wayne Hankey (officially charged with sexual assault in 2021) were an open secret while I was a student, and the university's continued support of him at that time appeared to condone them.
- Having Wayne Hankey on payroll and in the community of Kings for so long has set a precedent for ignoring allegations of sexual abuse, and that culture is pervasive.

Second, many participants told us that the rumours about Dr. Hankey and, more specifically, the media attention that the allegations received in 2021 as a result of the criminal charges, gave them a negative perception of King's. Several described a feeling that their trust in King's administration and/or faculty had been betrayed because of the historical lack of action to address the allegations.

Some participants noted that they appreciated the transparency with which King's has addressed the allegations and the criminal charges against Dr. Hankey since 2021.

ii. Culture of silence

Many participants told us that they perceived a “culture of silence” at King's regarding sexualized violence. Several specifically tied this feeling to the historical allegations against Dr. Hankey, but others spoke more generally.

In particular, several participants told us that they felt that King's would “cover up” or “bury” allegations of sexual misconduct. As one participant put it, “It feels that nothing is dealt with until there is public pressure and media attention. The focus is on burying things.”

Other participants said that they felt that the existence of sexualized violence on campus was not acknowledged or discussed openly. One participant told us:

King's, for decades, has had a pervasive issue of sweeping issues under the rug. While the [King's Student Union] and university provide information and training on sexual health and consent, there is a pervasive culture of remaining silent on instances and issues widely known throughout the university.

As with the impact of the historical allegations above, several participants noted that they felt that King's was becoming more open and transparent regarding sexualized violence, particularly since the introduction of the Policy and the SHSO.

iii. Gossip, rumours, and a fear of reporting

Many participants told us that the small community at King's was one of its great advantages and one of the things that they enjoyed most about the school. However, we also heard from many participants that King's small size made them concerned about reporting sexualized violence. We heard this both from those who had actually experienced sexualized violence, or who had supported those who had, and from those who were speaking theoretically about barriers to reporting.

Participants described different elements of this issue. Several said that the small community meant that speaking up about sexualized violence would be (or actually was) difficult because it could ruin tight-knit relationships or because people might be reluctant to believe that someone they knew well could perpetrate sexualized violence.

Other participants said that they would be (or actually were) reluctant to report sexualized violence because they did not want to be the subject of rumours or gossip.

iv. Boundaries between professors and students

As with the small size of the King's community, many participants told us that the close relationships between professors and students at King's were one of the advantages of attending the school and one of the things that they valued most about their King's experience. However, many participants also pointed out the vulnerable position that these relationships put students in with respect to sexualized violence. As one participant put it:

Professors can sometimes seem very approachable yet also very superior. I think that has the potential to create unhealthy power dynamics that I can imagine could lead to sexualized violence.

Several participants told us about specific examples what they perceived to be boundary-crossing behaviour between professors and students. In general, these related to interactions between professors and students outside of the classroom, about non-academic topics, and/or romantic overtures made by professors towards students.

In addition to the inherent power imbalance between students and professors, participants described to us two specific dimensions of the professor-student relationship at King's that they felt created heightened potential for sexualized violence.

First, participants told us that, at King's, students and professors often engage in informal settings, such as in the Wardroom or at parties. Some specifically noted that these events often involved alcohol. One participant told us:

There was no clear distinction between the two populations [professors and students] so as a student it felt odd to fraternize with faculty, especially when said faculty evaluates students. There is a powerful differential naturally and when boundaries aren't clear, there's a strong potential for exploiting power.

Second, participants also told us about a culture at King's of idolizing professors, which could lead students to ignore or not recognize inappropriate behaviour or make students afraid to speak up when they feel uncomfortable.

v. Elitism and privilege

Many participants told us about what they perceived as an elite or privileged aspect to the culture at King's. Specifically, we heard that King's has a predominantly wealthy and/or white student body.

Participants connected this aspect of the King’s culture to sexualized violence in two ways. First, several participants told us that they felt out of place, unsafe, or that they lacked support at King’s because they did not come from a wealthy background, they were a person of colour, and/or they otherwise did not fit in to the predominant culture. Some specifically said that they would be less likely to report an incident of sexualized violence because they felt, given their relative lack of privilege, that it would be futile, or that they would face greater social consequences. As one participant put it, “Folks who are not wealthy white students feel almost like the school wants them to feel lucky for being here or grateful for getting a scholarship or being accepted. So, don’t rock the boat.”

Second, some participants said that they felt that King’s would protect white, wealthy, male perpetrators of sexualized violence, or that those who fit into these categories would be more likely to get away with sexualized violence.

c) Student Life

When asked whether they had ever witnessed, been subject to, or heard of sexualized violence occurring at King’s, many participants described incidents of sexualized violence that took place in residence and/or that involved alcohol. These issues are described in further detail below.

i. Residence and dons

Many participants disclosed experiencing or hearing about sexualized violence in residence. The experiences detailed generally involved student-student sexualized violence and included sexual harassment, threats of sexual violence, and sexual assault.

Many participants expressed dissatisfaction with dons' knowledge of and/or response to sexualized violence. We heard from participants who had experienced sexualized violence in residence and who told us that they were dismissed by their dons when they came forward or that they had to repeatedly raise their concerns with their dons before any action was taken. Several participants also said that they were aware of dons making sexual advances towards students or being involved in sexual relationships with students.

Some participants specifically recommended that dons and junior dons receive more training on topics such as sexualized violence, supporting students who have experienced sexualized violence, and appropriate boundaries with students. Some also recommended enhancing the support structure for dons and junior dons, as well as more rigorous evaluations of their performance.

ii. Alcohol use

Many participants told us that they had experienced or heard about incidents of sexualized violence that involved alcohol use. Specifically, many participants told us about incidents of sexual assault, coercion, or unwanted sexual advances where one or both parties were intoxicated. According to participants, these incidents took place both on and off campus.

Many participants also specifically told us about experiencing or hearing about drink tampering in the student lounge and pub, the Wardroom. We understand from participants that Wardroom staff have taken steps to address this issue, including specific training for staff members. Some participants also highlighted the value of the Wardroom from a harm reduction perspective since, without this venue, students would opt to drink in potentially more dangerous locations off campus.

d) Policy and Procedure

Many participants commented on the Policy and its operation. We detail this feedback in the three themes below: support for the SHSO and the Policy; need for training; and support following an incident.

i. Support for the SHSO and the Policy

Many participants expressed strong support for the Policy, the role of the SHSO in general, and the job that Jordan Roberts has done as SHSO specifically.

With respect to the Policy, participants told us that they felt that the creation and adoption of the Policy represented a positive change in the way in which King’s responds to sexualized violence. One participant described the Policy as “a huge step forwards for the University.” Some participants specifically noted that they felt that the Policy was robust and survivor-centric.

With respect to the SHSO and the work that Ms. Roberts has done in this role, we received overwhelmingly positive comments. Many participants expressed trust and confidence in Ms. Roberts and support for her work. As one participant put it:

I have to commend the SVPRO³ Jordan Roberts for consistently being a great resource and listening ear to the entire King’s community. The workshops and information sessions she has done are very informative.

Some participants specifically pointed out that bringing in an SHSO from outside King’s, rather than hiring an internal candidate, enhanced their

³ Sexualized Violence Prevention and Response Officer (“SVPRO”) is the former term for the SHSO.

trust in this position. One participant told us, “I’m especially comforted by King’s commitment to hiring a specifically trained SVPRO rather than assigning the role to an admin or hiring internally.”

ii. Need for training

Despite their support for the Policy and the SHSO, many participants told us that they had received little or no training on sexualized violence and the Policy. Many also expressed a desire for increased training on these topics for all members of the King’s community. Participants who had attended training of this type had often done so because it was required for a certain role, such as a don. Some participants told us that voluntary training sessions aimed at broader audiences were generally not well attended.

Many participants suggested that this type of training should be mandatory and/or ongoing for all members of the King’s community. Specifically, participants expressed concern that voluntary training sessions would not be attended by those who needed this training the most. Some student and alumni participants suggested that training around sexualized violence and the Policy should be a mandatory part of orientation week, should be addressed at the beginning of classes, or should be discussed by dons and/or junior dons with their residents. Some participants also expressed the feeling that one-time training was not enough, and that training should be ongoing.

We heard that information about sexualized violence and the Policy was disseminated via means such as emails and pamphlets. However, many participants told us that they wanted more in-depth and detailed information and training about these topics. Participants said that they would like to understand the Policy in plain language. They also told us that they wanted further detail about exactly what happens when a report or

disclosure is made under the Policy, what accommodations are available under the Policy, and what the possible outcomes are once a report or disclosure is made. As one participant put it:

King’s just says, “Get in touch with the sexualized violence officer,” but it would be very helpful if there was some kind of information about what that actually does. I understand that each case is different, but right now, it feels like you are asked to take a leap of faith and trust in a stranger at the most vulnerable you’ve ever been.

We note that some faculty participants pointed out that, currently, training about sexualized violence is voluntary and that this, as well as the work of responding to student concerns about sexualized violence more generally, is disproportionately taken on by female faculty members. These participants expressed concern about the potential for inequity because this work is not recognized in the tenure and promotion processes.

iii. Support following an incident

Participants who had experienced sexualized violence or who had supported someone who had experienced this told us about what they felt were gaps in King’s response. Although we did not hear about these issues from many participants, we felt that it was important to reflect these participants’ lived experiences in this report.

First, these participants told us that they wished they had received more follow-up or check-ins from King’s administration and/or residence staff in the aftermath of the incident. Second, and relatedly, we heard from these participants that they wanted more assistance from King’s in navigating external supports, such as healthcare. Third, these participants described difficulty accessing mental health support, given the long wait times for counselling.

4. Policy Review

We reviewed the Policy and the University of King’s College Yellow Book (“the Yellow Book”)⁴ and compiled best practices in university sexualized violence policies based on reports and literature from across Canada and the United States. A complete list of works consulted is attached to this report as Appendix “C.” We then evaluated the Policy against these best practices.

Based on our analysis, we are satisfied that the Policy is robust and consistent with best practices. Specifically, among other provisions, the Policy:

- Sets out King’s commitment to preventing and addressing sexualized violence and its commitment to a survivor-centric and trauma-informed approach
- Acknowledges the existence of rape culture and the fact that marginalized populations are more likely to experience sexualized violence
- Outlines the scope of the Policy, including who it covers and how it applies to sexualized violence that occurs off-campus
- Sets out definitions, including a definition of consent that sets out scenarios where consent cannot be given, and uses gender neutral language in its definitions

⁴ The Yellow Book contains the King’s Code of Conduct, College Regulations, Policy and Procedures for Prevention of Discrimination and Harassment, Policy and Procedures for Concerns re Accessibility and Requests for Accommodation, and By-Laws, Rules and Regulations regarding appeals and discipline.

- Outlines supports, services, accommodations, and interim measures that can be accessed by survivors/victims, and which can be accessed without making a formal report
- Provides formal and informal reporting options, depending on the choice of the survivor/victim, as well as the option of making an anonymous or third-party disclosure
- Sets out the steps in the reporting and investigation process, including who it will involve, what it will entail, the support available throughout the process, the possible outcomes of the process, and the right to be informed of the outcome
- Emphasizes the importance of confidentiality, explains how confidentiality will be maintained, and prohibits retaliation
- Sets out contact information for emergency assistance and other external resources for support
- Provides for regular review of the Policy and regular reporting on its functioning
- Is accessible online and contained in one document

5. Recommendations

For ease of reference, we have categorized our recommendations into four sections: Transparency and Accountability; Reckoning with the Past; Promoting Safety; and Policy.

We note that, in making recommendations, we have not aimed to address every issue that participants in this process brought to our attention.

Rather, we have focused on recommendations that we believe will have the greatest impact on enhancing safety within the King’s community.

a) Transparency and Accountability

While we heard from many participants that they regarded this process as an indicator of transparency and accountability on the part of King’s administration, we also heard that many participants perceived a “culture of silence” regarding the issue of sexualized violence at King’s. In the interests of furthering transparency and accountability, as well as addressing the culture of silence, we recommend that King’s share this report with the community. For the same reasons, we further recommend that King’s share its response to this report with the community, including a plan for addressing the recommendations below. We suggest that King’s take these steps by July 4, 2022.

b) Reckoning with the Past

We believe that there is a compelling need for King’s to reckon with its history. It was evident from the survey responses and interviews that the alleged misconduct of Dr. Hankey continues to deeply impact the present-day King’s community. Participants described feelings of anger, hurt, and betrayal towards King’s, particularly following the announcement of criminal charges against Dr. Hankey in 2021. We expect that the release of our final report (anticipated in the fall of 2022), which will specifically address Dr. Hankey’s alleged misconduct, will further impact the community. It may be triggering to some, or difficult to process, especially for those who had personal relationships with Dr. Hankey.

Therefore, we recommend that King’s consider how it can put supports in place to allow the community to process our final report, such as

community forums, town hall meetings, and/or access to counselling. We believe it is necessary for King's to acknowledge and internalize the past in order to move forward as a community.

c) Promoting Safety

We make four recommendations that are aimed at enhancing present-day safety in the King's community: training and onboarding; reflection and clarification; enhanced resources; and crisis management. Each of these is detailed below.

i. Training and onboarding

Many participants in the survey and interviews told us that they had not received training on the Policy or that they felt that the training and/or information that they had received about the Policy could be improved.

In light of this, we recommend that King's review its existing training, and consider how it can enhance training about the Policy, and about sexualized violence more generally, for students, faculty, and staff. We also recommend that King's consider how this training could be made mandatory or incentivized, in order to encourage maximum participation.

In addition to reviewing training across the entire King's community, we believe that there are two particular opportunities for training that King's should consider.

First, we suggest that King's enhance its training on the Policy and sexualized violence during orientation week for new students. We understand that this training does take place during orientation week, but that it is near the end of the week and not always well-attended. We recommend that King's consider how the importance of this training can be

highlighted to students by, for example, having it take place earlier in the week and/or making it mandatory or incentivized. This will ensure that as many incoming students as possible are aware of the Policy and have some training on the topic of sexualized violence.

Second, we recommend that King's consider how this type of training can be incorporated into its onboarding process for new faculty and staff. As with incoming students, this will ensure that all new faculty and staff are trained.

ii. Reflection and clarification

We heard from many participants in this process that close, informal relationships between professors and students at King's, while often productive and meaningful, are also an area of vulnerability to sexual misconduct.

Given this, we believe that it is necessary for King's professors to reflect on their role as teachers and mentors in the context of a small, close-knit community, as well as on how they can maintain the highest standards of professionalism in their relationships with students.

We recommend that King's provide a forum for its professors to engage in this deep reflection. We suggest that the aim of this period of reflection should be a document that addresses appropriate boundaries between professors and students that supplements the Yellow Book, such as a Code of Conduct or a Statement of Principles.

iii. Enhanced resources

While we recognize the excellent work that Ms. Roberts has done in her role as SHSO, we are mindful of the potential for King's to overly rely on one

person/role, and of the fact that one person cannot be everything to everyone. Therefore, we suggest that King’s consider how it can enhance resources in the area of sexualized violence awareness, prevention, and response. In addition to enhanced resources for training as described above, we suggest that King’s specifically consider how it can enhance the resources directed towards the diversity of support available to students in terms of gender, race, and sexuality, access to mental health counselling, and support for respondents to a report of sexualized violence.

iv. Crisis management

We understand that Ms. Roberts serves as a “first responder” for students who have experienced sexualized violence and that she has processes in place to respond to such incidents. However, for the same reasons as outlined in the “Enhanced resources” section above, we believe it would be beneficial to externalize these processes in the event that Ms. Roberts is unavailable, or a student approaches another member of the administration with a disclosure. We suggest that King’s create a “checklist” of steps to take in the immediate aftermath of an incident of sexualized violence, in order to ensure a consistent approach.

d) Policy

As discussed in the “Policy Review” section above, we believe that King’s Policy is robust and consistent with best practices. That said, best practices in post-secondary sexualized violence prevention, awareness, and response are constantly evolving. Therefore, we suggest that King’s consider the following areas for clarification and/or enhancement of its Policy in what we understand is its scheduled review at the end of 2022:

- A process to address multiple Disclosures about the same person. For instance, after a certain number of Disclosures about the same person, those who made the Disclosures could be asked to consider making a Report
- Explicitly addressing how records of Disclosures, Reports, investigations, and outcomes are kept, who has access to them, and how long they are maintained
- A requirement that members of the Sexualized Violence Hearing Panel be trained in topics related to sexualized violence, such as consent, rape culture, and intersectionality
- An explicit prohibition on Investigators (or others involved in the Disclosure and Reporting processes) asking survivors/victims irrelevant questions about their past sexual history
- An explicit timeline for Appeals

6. Conclusion

While we have identified areas at King's that require attention and thoughtful discussion, we also found significant positives within this community. We believe that with the Policy, the SHSO, and strong commitment and advocacy from community members, King's has an excellent foundation to address the challenges it faces, and we hope that our recommendations prove useful in this regard.

Date: May 20, 2022

Elizabeth Bingham

Janice Rubin

Per: Elizabeth Bingham and Janice Rubin
RUBIN THOMLINSON LLP

APPENDIX A

Introduction

As you may be aware, the University of King's College ("King's") has retained Rubin Thomlinson LLP ("RT") to conduct an independent review. As part of this review, we have been asked to consider what "...steps King's must or can take to ensure that it provides a safe environment for all members of its community in accordance with the commitments it has made in its Sexualized Violence Awareness, Prevention and Response Policy" (the "Policy") (see: <https://ukings.ca/wp-content/uploads/2021/03/20210304TermsReference-IndependentReview.pdf>).

We would very much like to hear from you in this regard, and we hope that you will agree to participate in this survey. Participation is voluntary, confidential, and anonymous (see limited exceptions below), should you wish not to identify yourself.

We will use this information as part of our report to King's, which will include our recommendations.

The survey is for all members of King's faculty and staff, all current students, and alumni from the classes of 2019, 2020 and 2021 who would have attended King's during and after the 2018 adoption of its Sexualized Violence Awareness, Prevention and Response Policy. It should take approximately 15-20 minutes to complete. Please participate candidly and, where the survey asks for examples, please provide as much detail as you can, including names, the roles of those involved, approximate dates, and/or locations relating to any incidents shared.

Confidentiality

Please note that everything submitted to this survey is for the purposes of RT's independent review and *is not a disclosure or report* to King's under the Policy. If you also wish to seek support and response from King's, including making a disclosure or a report under the Policy, please contact Jordan Roberts, Sexualized Violence Prevention and Response Officer ("SVPRO"). Details of how to reach the SVPRO are at the end of this introduction.

RT's aim is to keep all information given to us in confidence, however there are limited circumstances when we will be required to pass information on to King's for purposes of maintaining an immediately safe campus community. These limited circumstances include:

- An individual is at risk of harming themselves and/or others;
- There is a legal obligation to report to authorities, e.g., incidents of sexualized violence involving a person currently under 16 years of age

If we are required to do this, we will let you know.

Timing

The deadline to submit survey responses is January 25, 2022. Your participation is important to us, so please take the time over the next few weeks to complete the survey. If you have any questions about the process, please contact Rubin Thomlinson directly at ukings@rubinthomlinson.com.

Individual or Group Interviews

Once the survey phase of the process is complete, we will be conducting interviews with members of the King's community. If, after completing the survey, you would be willing to participate in a one-on-one interview or a group interview with a representative from RT, there is an option to identify yourself or your group within the survey so that a representative may contact you. We expect interviews to begin in February 2022.

How to reach Jordan Roberts the SVPRO

You can reach Jordan by emailing her at Jordan.roberts@ukings.ca or by texting / calling 902-229-6123. You can meet with her over zoom, or receive support and information via text, e-mail, or phone call. Everything is kept confidential unless you otherwise give consent.

Content note: The survey includes questions about sexualized violence, including questions about any experiences you have had with sexualized violence at King's. We want to hear from you, but we recognize that it may be difficult to share this information. Your responses to these questions, along with all other questions in the survey, are voluntary. Should you experience distress or require support at any time during this process, please contact Jordan Roberts.

1. What is your current role at King's?

Staff

Graduate student

Faculty

Alumni

Undergraduate student

2. How long have you worked/studied at King's?

3. a) How would you describe the working or learning environment at King's?

Very negative

Negative

Neutral

Positive

Very positive

b) Can you provide an example/s that informed your response?

4. How familiar are you with King's procedures and policies to address sexualized violence?

For the purposes of this survey "sexualized violence" is defined in accordance with King's Sexualized Violence Awareness, Prevention and Response Policy as "any sexual act or act targeting a person's sexuality, gender identity, or gender expression, whether the act is physical, psychological, or social in nature, that is committed, threatened, or attempted against a person without the person's Consent. Sexualized Violence includes such actions as Sexual assault, Sexual Harassment, cyber harassment, coercion, and sexual exploitation."

- Not at all familiar Moderately familiar
- Slightly familiar Extremely familiar
- Somewhat familiar

5. a) How would you rate the quality of information and/or training you receive on King's procedures and policies to address sexualized violence?

Poor	Fair	Good	Very good	Excellent	I haven't received any information or training
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

b) Can you provide reason/s for your response?

6. a) Please indicate your level of agreement with the following statement: If I experienced, witnessed, or was told about sexualized violence occurring at King's, I would seek support from a King's staff member meant to receive such information (e.g. SVPRO, residence don, Vice President).

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

b) Can you provide reason/s for your response?

7. a) Please indicate your level of agreement with the following statement: I feel that King's effectively addresses issues of sexualized violence among students, staff, and faculty.

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

b) Can you provide reason/s for your response?

8. a) Please indicate your level of agreement with the following statement: Sexualized violence is a problem among students, staff, and faculty at King's.

Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree
<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

b) Can you provide reason/s for your response?

9. a) During your time at King's, have you ever witnessed, been subject to, or heard of sexualized violence occurring at King's?

- Yes
- No

b) If you answered yes, can you provide more information about the kinds of sexualized violence you have been subjected to or heard about?

10. Do you have any suggestions for how King's can ensure that it supports the survivors and victims of sexual violence and responds effectively and accountably to sexualized violence?

11. Is there anything else you would like to share?

12. a) (Optional) As part of the review process, we will be conducting several one-on-one and group interviews in order to gather additional information. Are you willing to participate in an interview?

Yes

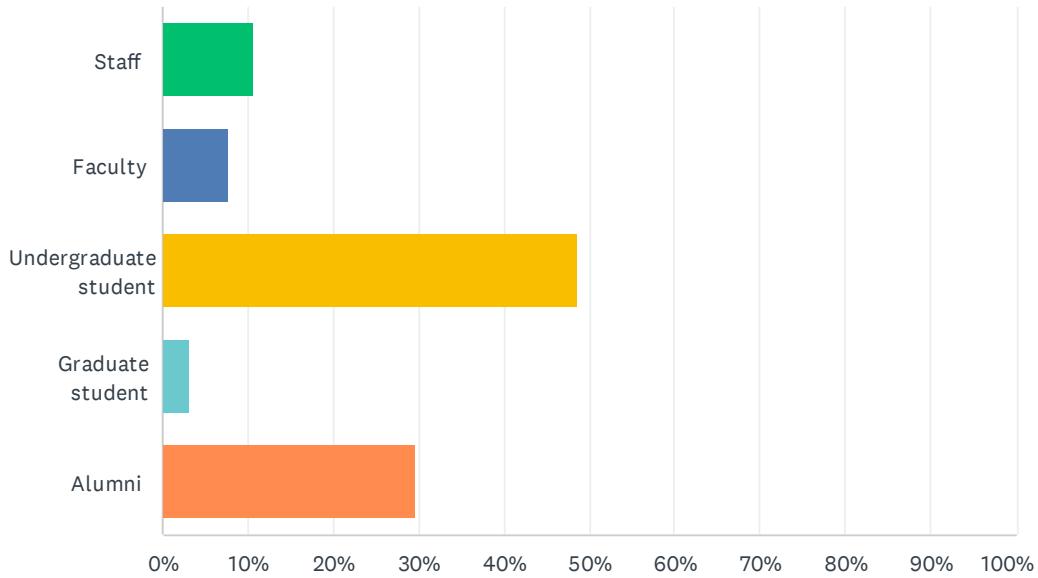
No

b) (Optional) If you answered yes, please provide your contact information. A representative of RT will be in touch directly with those participating in interviews.

APPENDIX B

Q1 What is your current role at King's?

Answered: 273 Skipped: 0



ANSWER CHOICES	RESPONSES	
Staff	10.62%	29
Faculty	7.69%	21
Undergraduate student	48.72%	133
Graduate student	3.30%	9
Alumni	29.67%	81
TOTAL		273

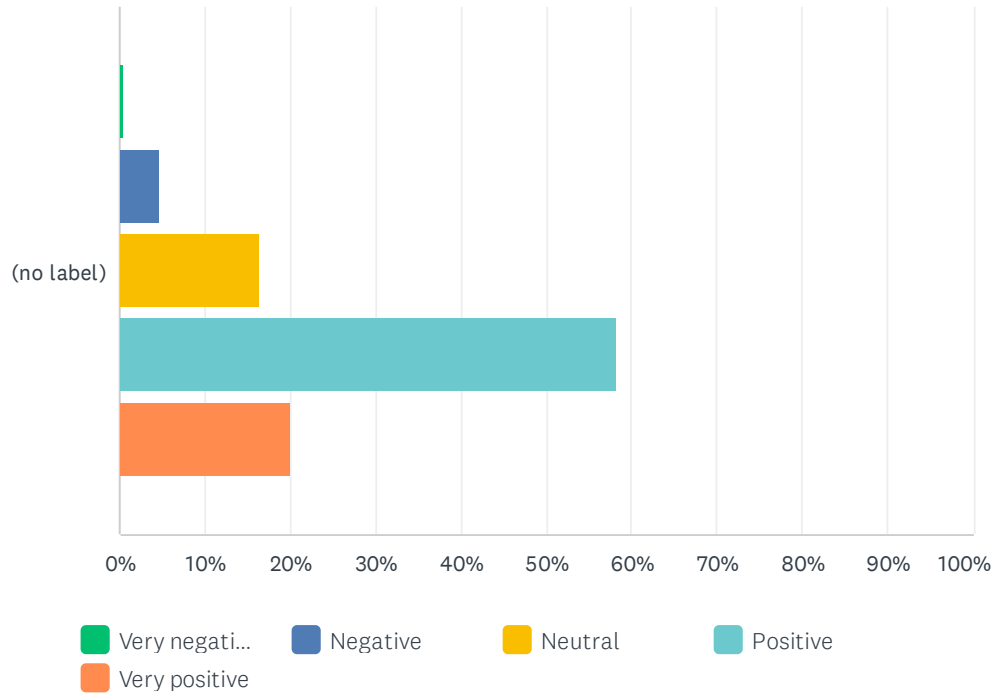
Q2 How long have you worked/studied at King's?

Answered: 273 Skipped: 0

Answers excluded because they were comments

Q3 a) How would you describe the working or learning environment at King's?

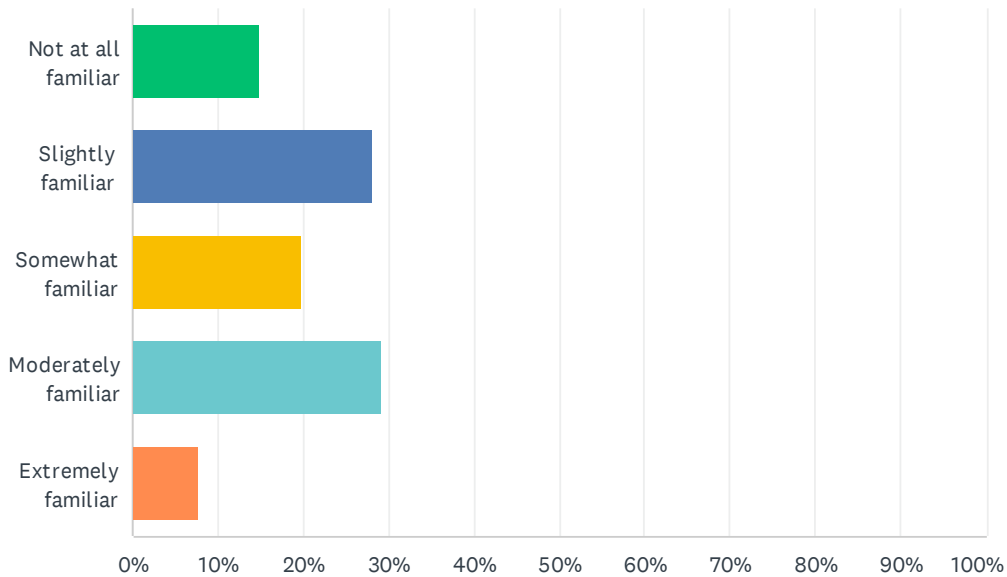
Answered: 273 Skipped: 0



	VERY NEGATIVE	NEGATIVE	NEUTRAL	POSITIVE	VERY POSITIVE	TOTAL	WEIGHTED AVERAGE
(no label)	0.37%	4.76%	16.48%	58.24%	20.15%	273	3.93
	1	13	45	159	55		

Q4 How familiar are you with King’s procedures and policies to address sexualized violence? For the purposes of this survey “sexualized violence” is defined in accordance with King’s Sexualized Violence Awareness, Prevention and Response Policy as “any sexual act or act targeting a person’s sexuality, gender identity, or gender expression, whether the act is physical, psychological, or social in nature, that is committed, threatened, or attempted against a person without the person’s Consent. Sexualized Violence includes such actions as Sexual assault, Sexual Harassment, cyber harassment, coercion, and sexual exploitation.”

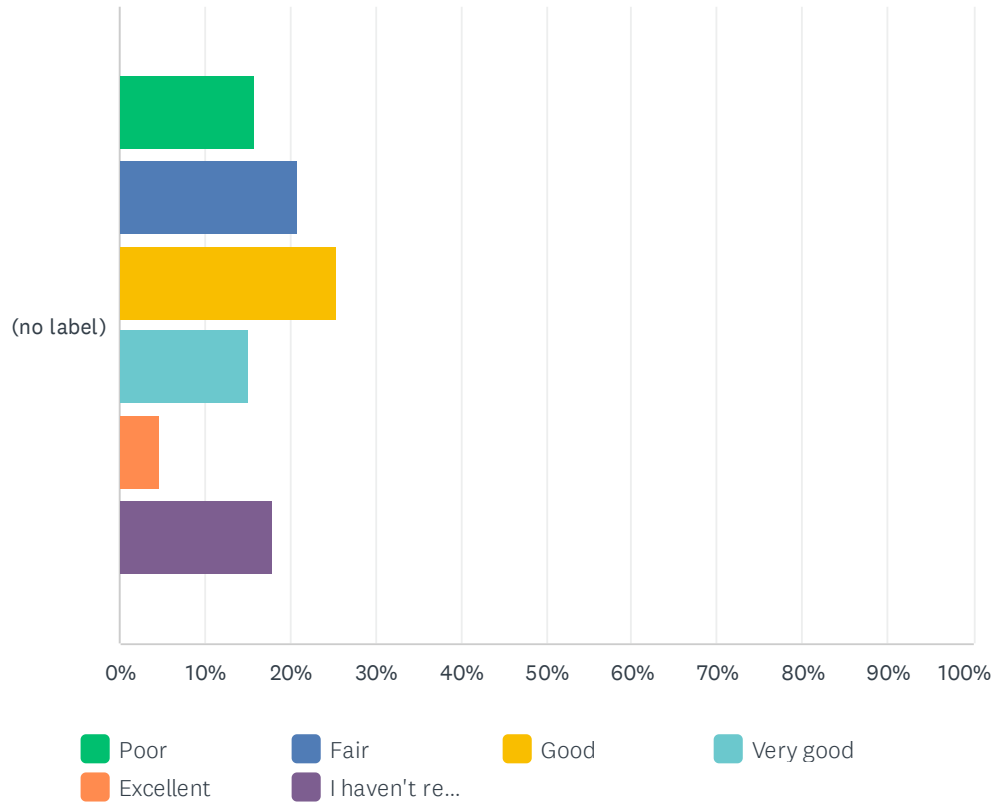
Answered: 273 Skipped: 0



ANSWER CHOICES	RESPONSES
Not at all familiar	15.02% 41
Slightly familiar	28.21% 77
Somewhat familiar	19.78% 54
Moderately familiar	29.30% 80
Extremely familiar	7.69% 21
TOTAL	273

Q5 a) How would you rate the quality of information and/or training you receive on King's procedures and policies to address sexualized violence?

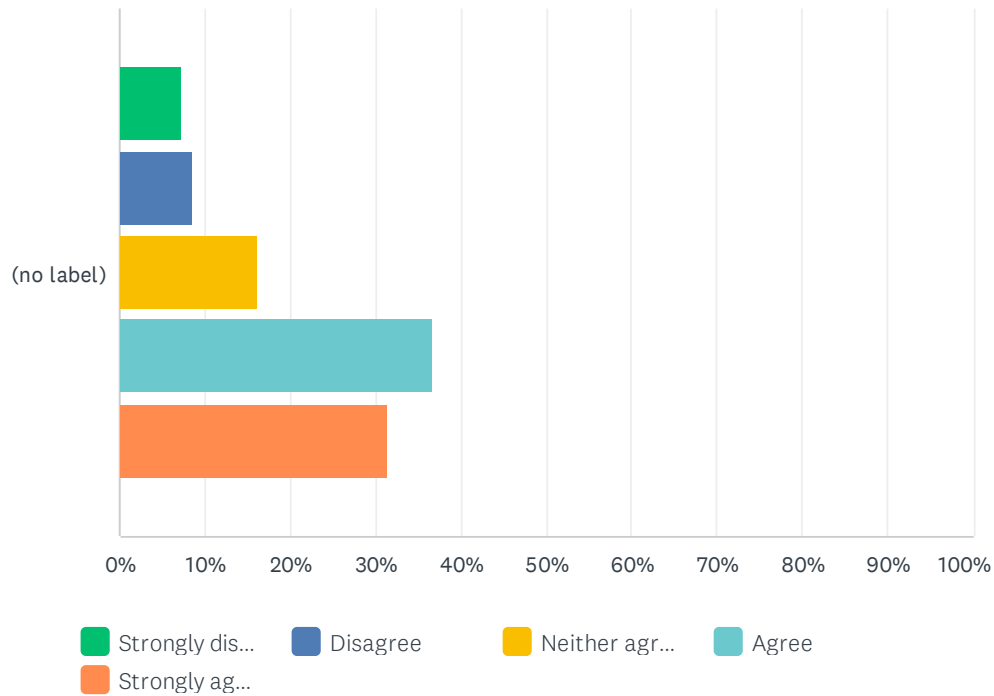
Answered: 272 Skipped: 1



	POOR	FAIR	GOOD	VERY GOOD	EXCELLENT	I HAVEN'T RECEIVED ANY INFORMATION OR TRAINING	TOTAL	WEIGHTED AVERAGE
(no label)	15.81% 43	20.96% 57	25.37% 69	15.07% 41	4.78% 13	18.01% 49	272	3.26

Q6 a) Please indicate your level of agreement with the following statement:
 If I experienced, witnessed, or was told about sexualized violence occurring at King’s, I would seek support from a King’s staff member meant to receive such information (e.g. SVPRO, residence don, Vice President).

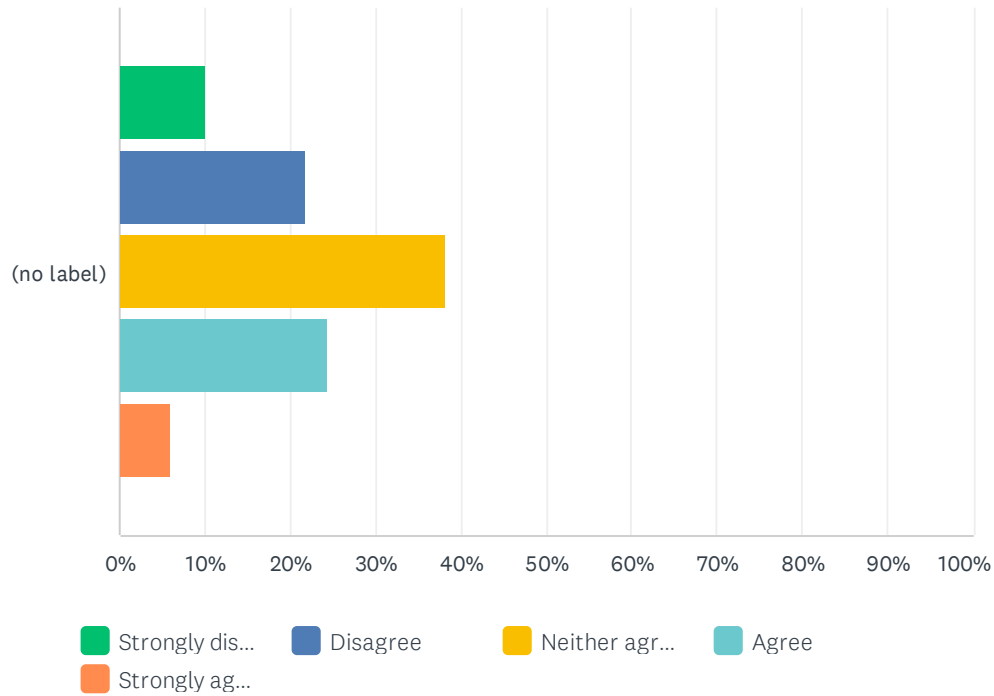
Answered: 272 Skipped: 1



	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
(no label)	7.35% 20	8.46% 23	16.18% 44	36.76% 100	31.25% 85	272	3.76

Q7 a) Please indicate your level of agreement with the following statement:
 I feel that King’s effectively addresses issues of sexualized violence
 among students, staff, and faculty.

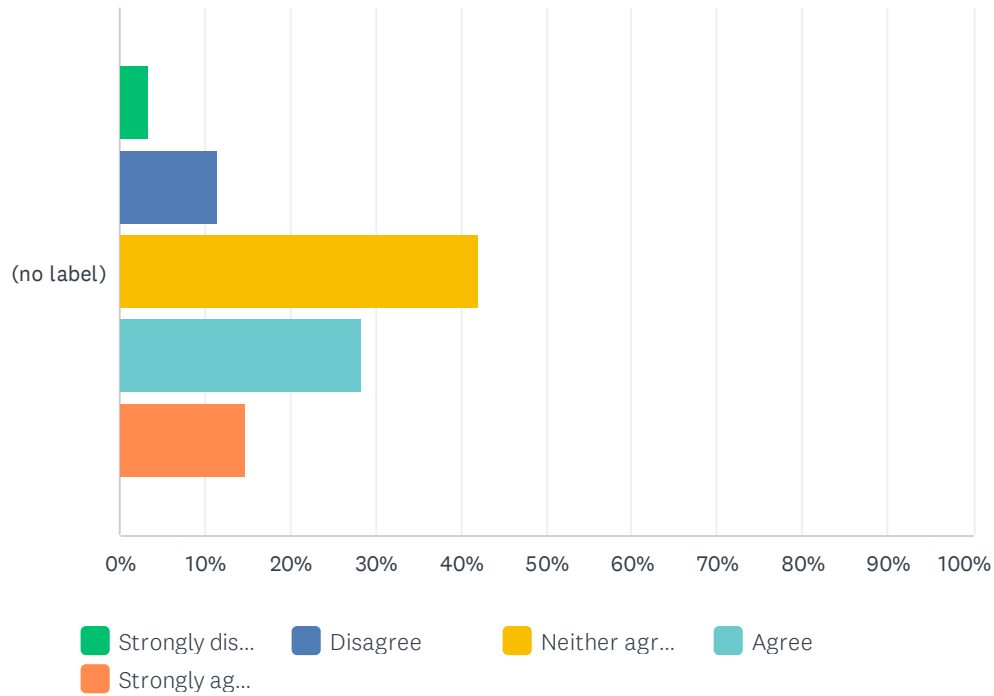
Answered: 272 Skipped: 1



	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
(no label)	9.93% 27	21.69% 59	38.24% 104	24.26% 66	5.88% 16	272	2.94

Q8 a) Please indicate your level of agreement with the following statement:
 Sexualized violence is a problem among students, staff, and faculty at
 King's.

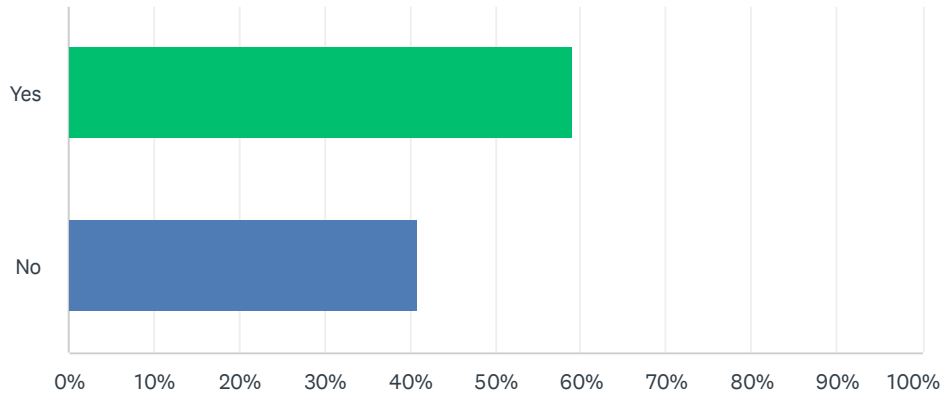
Answered: 271 Skipped: 2



	STRONGLY DISAGREE	DISAGREE	NEITHER AGREE NOR DISAGREE	AGREE	STRONGLY AGREE	TOTAL	WEIGHTED AVERAGE
(no label)	3.32% 9	11.44% 31	42.07% 114	28.41% 77	14.76% 40	271	3.40

Q9 a) During your time at King's, have you ever witnessed, been subject to, or heard of sexualized violence occurring at King's?

Answered: 271 Skipped: 2



ANSWER CHOICES	RESPONSES	
Yes	59.04%	160
No	40.96%	111
TOTAL		271

Q10 Do you have any suggestions for how King's can ensure that it supports the survivors and victims of sexual violence and responds effectively and accountably to sexualized violence?

Answered: 184 Skipped: 89

Answers excluded because they were comments

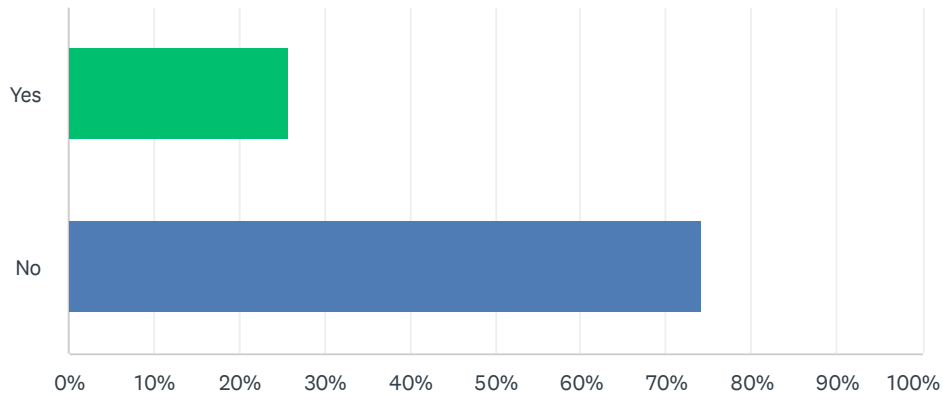
Q11 Is there anything else you would like to share?

Answered: 139 Skipped: 134

Answers excluded because they were comments

Q12 a) (Optional) As part of the review process, we will be conducting several one-on-one and group interviews in order to gather additional information. Are you willing to participate in an interview?

Answered: 255 Skipped: 18



ANSWER CHOICES	RESPONSES	
Yes	25.88%	66
No	74.12%	189
TOTAL		255

APPENDIX C

Works Consulted

- Arig al Shaibah, *Sexual Assault Prevention and Response Report and Recommendations* (Kingston: Queen's University Sexual Assault Prevention and Response Working Group and Policy Subcommittee, 2015).
- Karen Busby and Joanna Birenbaum, *Achieving Fairness: A Guide to Campus Sexual Violence Complaints* (Toronto: Thomson Reuters, 2020).
- Canadian Federation of Students – Nova Scotia, *Consent Culture: A Provincial Forum to End Sexual Violence on Campus – Forum Report* (Halifax, 2016).
- Canadian Federation of Students – Ontario, *Campus Toolkit for Creating a Consent Culture* (Toronto, 2017)
- Ending Violence Association of British Columbia, *Campus Sexual Violence: Guidelines for a Comprehensive Response* (Vancouver: Ending Violence Association of BC, 2016).
- Rice B. Fuller, Lucia F. O'Sullivan & Charlene F. Belu, *UNB Sexual Assault Climate Survey* (Fredericton, University of New Brunswick, 2017).
- Jay Harrison & Ginette Lafrenière, *The Change Project: University Campuses Ending Gendered Violence – Final Report and Recommendations to Wilfrid Laurier University* (Waterloo: Social Innovation Research Group, 2015).
- F. Khan, C. J. Rowe & R. Bidgood, *Courage to Act: Developing a national framework to address and prevent gender-based violence at post-secondary institutions in Canada* (Toronto: Possibility Seeds, 2019).
- Peggy Mahon, *Preventing Violence Against Women at St. Francis Xavier University – Final Evaluation Report* (Antigonish, 2014).
- Martell Consulting Services Ltd., *Student Safety in Nova Scotia – A Review of Student Union Policies and Practices to Prevent Sexual Violence* (Halifax: Students of Nova Scotia, 2014).
- Memorandum of Understanding between the Province of Nova Scotia and the Nova Scotia Universities 2019-20, 2020-21, 2021-22, 2022-23, and 2023-24*, 2019.
- METRAC, *Sexual Assault Policies on Campus: A discussion paper* (Toronto, 2014).
- Not Alone: The First Report of the White House Task Force to Protect Students from Sexual Assault* (Washington, D.C.: White House Task Force to Protect Students from Sexual Assault, 2014).
- Rebecca Pacheco, *Not Online. Not On Campus. Report – Addressing sexual violence*

- and technology-facilitated violence on campus* (Toronto: YWCA Canada, 2020).
- Tracey Peter et al., *The University of Manitoba Campus Climate Survey on Sexual Violence: A Final Report* (Winnipeg: University of Manitoba Sexual Violence Steering Committee, 2019).
- Province of Ontario, *Developing a Response to Sexual Violence: A Resource Guide for Ontario's Colleges and Universities* (Toronto: Ontario Women's Directorate, 2013).
- Promoting a Culture of Safety, Respect and Consent at Saint Mary's University and Beyond – Report from the President's Council* (Halifax, 2013).
- Province of Nova Scotia, *Breaking the Silence: A Coordinated Response to Sexual Violence in Nova Scotia* (Halifax: Department of Community Services, 2015).
- Province of Nova Scotia, *Breaking the Silence – Progress Report Year 3 (June 2016 – May 2017)* (Halifax: Department of Community Services, 2017).
- Province of Nova Scotia, *Changing the culture of acceptance: Recommendations to address sexual violence on university campuses* (Halifax: Sexual Violence Prevention Committee, 2017).
- Province of Nova Scotia, *Guidelines for Nova Scotia Universities and the Nova Scotia Community College: Development of Survivor-Centric Sexual Violence Policies* (Halifax: Sexual Violence Prevention Committee, 2019).
- Report of the Task Force on Misogyny, Sexism and Homophobia in Dalhousie University Faculty of Dentistry* (Halifax, 2015).
- Report of the Task Force on Respect and Equality: Ending Sexual Violence at the University of Ottawa* (Ottawa, 2015).
- Report of Task Force on Sexual Assault Education, Prevention and Support, Lakehead University* (Thunder Bay, 2014).
- Review of the University of Alberta's Response to Sexual Assault* (Edmonton, 2016).
- Securing Our Future: Best Practice Recommendations for Campus Safety and Violence Prevention* (Boston: Massachusetts Board of Higher Education, 2016).
- Caitlin Salvino, Kelsey Gilchrist & Jade Cooligan-Pang, *Our Turn: A National Action Plan to End Campus Sexual Violence* (Montreal: Student's Society of McGill University, 2017).
- Caitlin Salvino & Connor Spencer, *Our Turn: One Year Later* (Students for Consent Culture, 2019).

White House Task Force to Protect Students from Sexual Assault, *Checklist for Campus Sexual Misconduct Policies* (Washington, D.C., 2014).