

Step by Step Guide to the Sexualized Violence – Investigations (GV0245)

- The process begins when a Survivor or Those Impacted by Sexualized Violence submits a report form to the Equity and Human Rights office (“EQHR”), with the intention of initiating an investigation (the “Report”).
- Support is available to assist Survivors or Those Impacted by Sexualized Violence in making a Report and through all stages of the process.
- EQHR will review the Report and determine if the Report falls within the jurisdiction of the Sexualized Violence Prevention and Response Policy (the “Policy”) and if there is enough information to proceed with an investigation. EQHR may request a meeting with the person making the Report to discuss the issue further and gain more information.
- If there is sufficient information and the Report falls under the jurisdiction of the Policy, an investigation can proceed.
- Within five (5) business days, the person who reported will be notified in writing of the decision to proceed or not, with an investigation (the “Notice”).
- If the decision is not to proceed, the person making the Report will receive information on how to request a review of this decision, as well as access to on and off campus supports and resources, within the Notice. A decision not to investigate should not be seen as a judgment against any person or a denial that the incident occurred.
- If an investigation proceeds, the person submitting the Report will be referred to as the “Complainant” and the person subject to investigation will be referred to as the “Respondent”.
- If an investigation proceeds, the Complainant, and the details of the Report, will be identified to the Respondent.
- The Complainant may choose whether to participate in the investigation process, though a decision not to participate may impact the investigation, Interim Measures and final resolution.
- The Respondent may choose whether or not to participate in the investigation process, but is encouraged to provide all relevant information and materials that will support their position.
- Anyone has the right to decline to participate in the investigation; however, the investigator may proceed to complete the investigation without that individual’s participation.
- If an investigation proceeds, EQHR will select one or more investigators, trained in Trauma-informed practice, to carry out investigation(s) of the Report, who will be identified in the Notice to proceed.



- At any time after an investigator has been appointed, a Complainant or Respondent may request a Voluntary Resolution Process (VRP). The VRP may occur before, during or after an investigation.
- The Respondent's Notice will contain sufficient information to allow the Respondent to understand and respond to the details of the Report.
- Both parties will also receive information on support options, what to expect during the investigation process, rights and responsibilities, and how to make a request to participate in a VRP.
- The investigator will give all involved participants in the investigation the opportunity to provide information. The investigation usually includes:
 - interviewing the Complainant and Respondent (separately) at least twice,
 - interviewing witnesses
 - reviewing documents,
 - gathering as much information as possible to determine if the behaviour of the Respondent is a violation of the Policy.
- The investigator will produce an Interim Summary of Information, a copy of which is shared with both the Complainant and the Respondent, and each will be given the opportunity to respond.
- The Complainant may submit written comments to the investigator(s) regarding the Interim Summary of Information, and may choose to include comments that address the impact of the harm of the Sexualized Violence Incident.
- The Respondent may choose to respond by submitting written comments to the investigator regarding the Interim Summary of Information or may seek an opportunity to test the information contained in the interim summary.
- If a party does not respond to the investigator within ten (10) University days of receiving the Interim Summary then, unless the investigator decides that it is reasonable to extend this timeline, the investigator may proceed to complete the investigation with that party's response.
- If a part does provide a response to the Interim Summary of information, the investigator may decide it is necessary to seek further input from the parties in accordance with the principles of procedural fairness.
- After concluding their investigation, the investigator will determine whether the Policy has been violated and prepare the Investigator's Findings.
- The investigator will use the "balance of probabilities" standard of proof – meaning that the information must show that it is more likely than not that the Respondent violated the Policy.



- The investigator will detail the Investigation Findings in writing within the Investigator's Report, which will include what information the investigator used and the conclusion(s) reached.
- The Investigator's Report is sent to EQHR, and will be shared with the Complainant and the Respondent within five (5) University Business days of its receipt.
- Where the investigator concludes that a Policy violation or violations occurred, the Investigator's Report will be shared with the appropriate Administrative Authority to determine sanctions.
- If the investigation finds one or more Policy violations, the Administrative Authority will determine sanctions, in accordance with any applicable collective agreement.
- The Complainant will receive the Investigator's Report, but will only be informed about sanctions that affect the Complainant's health or safety.

