Deep Dive Adjudication & Appeals

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Laura: OK, hi everyone and a warm welcome to the Deep Dive into Procedurally Fair Trauma Informed Adjudication and Appeals to Reduce Harm session. I'm so excited to welcome you into this space. My name is Laura Murray and I'm the Project Coordinator of Courage to Act. Today's training is part of our National Skillshare Series, where we feature subject matter experts in conversation about urgent issues, emerging trends, and promising practices and strategies to address gender-based violence on campus. Our presenters today are the authors of the toolkit, A Comprehensive Guide to Campus Gender-Based Violence Complaints, upon which this training is based. The guide is now freely available for download for via the Courage to Act acknowledge centre, so please download a copy, share it with everyone. It's a really good resource.

Before we begin, a quick note on language and accessibility. Attendees can view live captions for the session by clicking on the link in the chat. You can also listen to this session in French by selecting the French language channel using the interpretation menu. Might be on the bottom of your screen there. Today's session is also being recorded and will be available on our website along with a transcript.

Possibility seeds leads the Courage to Act project. We are a leading social change consultancy dedicated to gender justice, equity and inclusion. With over 20-years experience working with community organizations, governments, private and public institutions, we care deeply about the impact of our work.

Courage to Act is a multi-year national initiative to address and prevent gender-based violence on post-secondary campuses in Canada. It builds on the key recommendations within the Possibility Seeds' vital report, "Courage to Act: Developing a National Framework to Address and Prevent Gender-Based Violence at Post-Secondary Institutions." Our project is the first national collaborative of its kind to bring together over 170 experts, advocates and thought leaders from across Canada to address gender-based violence on campus.

I also want to take a moment to acknowledge our funders. Our project is made possible through generous support and funding from the Department for Women and Gender Equality, also known as WAGE, Federal Government of Canada.

This work is taking place on and across the traditional territories of many Indigenous nations. The land I'm currently on is the territory of the Anishinaabe, Haudenosauenee, and the Leni-Lunaape. The territory was the subject of Treaty 21, also known as the Longwoods Treaty, an agreement between the Chippewas of the Thames First Nation and the British Crown to peacefully share and care for the resources. This

agreement was broken by European settlers. The process of colonization in Canada over the past two centuries has enacted systemic genocide against the Indigenous peoples of this land. We see these acts of colonization and genocide continuing today in the forced sterilization of Indigenous women, the epidemic of Missing and Murdered Indigenous Women, Girls and Two Spirit people, the over representation of Indigenous children in care, the criminalization of Indigenous people resulting in overrepresentation in prisons, and the environmental racism and land theft of Indigenous territories.

As we come together to respond to experiences of gender-based violence, we must acknowledge this as a de-colonial struggle. They cannot be separated. Supporting decolonization and Indigenous sovereignty is critical to working towards a culture of consent and accountability. We honour and take direction from the experience and wisdom of Indigenous survivors, activists, frontline workers, writers, educators, healers, and artists. Today, we will take action by inviting everyone here to read the "Calls for Justice within Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls." You can download a worksheet on how your own institution can answer these calls to action through the link in the chat.

Now, a quick note on self-care because we know this work can be challenging. Many of us may have our own experience of survivorship and of supporting those we love and care about who've experienced gender-based violence. A gentle reminder here to be attentive to our wellbeing. As we engage in these difficult conversations. You can visit the self-care section of our skill share webpage, or visit our self-care room by visiting the link in the chat.

Before I introduce our speakers today, a brief note on the format. You're invited to enter questions into the Q&A box throughout the session, and we will pose these to our presenters at the end of the webinar. We will try to engage with as many questions as we can in the time that we have together. At the end of the session, you will find a link to an evaluation form. We'd be really, really grateful if you take a few minutes to share your feedback as it really does help us improve. This is anonymous. Following the session, we will also email you a copy of the evaluation form.

Now I'm really excited to introduce you to our speakers today. Deborah Eer-kes is the Sexual Violence Response Coordinator at the University of Alberta and co-lead of the Courage to Act Reporting, Investigations and Adjudication working group. Britney de Costa leads the Sexual Harassment and Experiential Learning project for Courage to Act, and is the co-lead of the Courage to Act Reporting, Investigation and Adjudication working group. These two are brilliant, and I have learned so much from them. And I'm excited for you all to learn from them today. I'm excited to turn it over to Deb now.

Deborah: Thank you, Laura. And really appreciate that introduction. Good afternoon, or good morning, everyone, depending on where you are across the nation today. We're excited that you're all here with us today. Our session is focused on strategies from Chapter 10 of the Comprehensive Guide, which applied to the practice of decision-making. But we're also going to discuss a number of strategies from Chapter 5, which is all about policy considerations. If you haven't read that chapter yet, it includes six specific strategies for the decision-making stage of policy development. So in this webinar, while we continue to focus on practice, like we have in the past Deep Dive webinars, we will be framing it in terms of our recommendations for good policy from Chapter 5.

Also note that most of the strategies we discuss today apply to both decision-makers at first instance, and also those hearing appeals. There are a few strategies at the end that will apply to appeals only. And we encourage you to review the chapters in the guide for more detail than what we're able to cover today. This is a huge area of practice. And there are lots of recommendations and strategies in the Guide that we have not been able to cover. But we'll be highlighting key concepts and principles underpinning the work as a way to think through complex and potentially harmful situations.

We want to start with a little bit of a disclaimer. There's very little in the way of training for those ‘off-the-side-of-your-desk’ decision-makers. So we hope that the combination of this webinar and the additional strategies in the Guide is a useful start. But we also encourage you to seek resources and knowledge from multiple sources outside of this in order to build your capacity. And second, this is not legal advice. We cover a lot of legal concepts in this session as a way to start the discussion and put some of the relevant legal concepts into plain language. But it's really important to work closely with legal counsel on policy development and on specific cases.

Britney: And we're framing today's webinar around the two fundamental principles of procedural fairness – the right to be heard and the right to an impartial decision-maker. We'll discuss common traps and mistakes that PSIs fall into in these areas. And we'll discuss ways that, in meeting their legal obligations, we can ensure that our practice is trauma-informed and carried out with an intersectional lens to reduce harm.

A quick note on terminology here. There are different models of decision-making and adjudication across Canada. So when we say “decision-maker,” we are referring to individual administrators or adjudicators, tribunals, appeal panels, and any other configuration that applies to your own PSI.

We're going to begin with a quick refresher of our case study. We first introduced this case study in our Deep Dive into Intake, and we followed our complainant, Sara, and respondent, Alexei, through a campus GBV investigation. Today we'll see how our strategies for decision-making an appeals apply to this case example. And I want to add a quick note here

that we may be discussing details about incidents of violence. So please remember to check-in with yourselves. And if you need to step away from your computer or visit the self-care room Laura introduced earlier in the chat.

So our case study centers around a complaint brought forward by Sara, who's a first year student living in residence, against Alexei, another student who lived on her floor. The initial incident occurred at an off-campus party where, Sara has shared, Alexei was drinking heavily, became physical with her, and made a sexual comment. Since the incident, Alexei has been harassing Sara when he drinks by invading her personal space, her dorm room, and sending inappropriate text messages. And as a result, interim measures were applied that included moving Alexei to a different residence.

During the investigation, we established that the complaint does not hinge on the question of consent. Alexei has not claimed that there was consent for the incident at the off-campus party, but rather that he doesn't remember becoming physical with Sara. We heard Sara's account of what happened during the incident, and the ongoing harassment she's been subjected to since then. And we also heard Alexei's account of the incident, along with his belief that his behaviour and actions towards Sara are not harassment. So throughout today's session, we'll be introducing additional pieces of information relevant to the decision-making process and using this example to help illustrate how to apply strategies in practice.

Deborah: You've likely heard us use the phrase “apply an intersectional lens” throughout our work, both in the tools we developed and in previous webinars. Today, we're introducing a new term that we hope is helpful. Equity-informed practice is essentially applied intersectionality. It is both the recognition that individuals experience compounded disadvantages based on intersecting characteristics and social locations on the one hand. And the commitment to addressing gender-based violence in a way that reduces barriers to the educational and work environment for those equity-deserving groups on the other. It means approaching our work with humility and an open mind and recognizing the impact of systemic biases. And understanding that we can't possibly know how an experience affected another person.

So asking questions rather than making assumptions, and creating space for parties to consider and articulate their thoughts. To explain what led to certain actions or reactions, or how they made sense of what was happening to them at the time and afterward. It means not jumping to conclusions or comparing the parties before us to how we believe we might think or act in similar circumstances.

We'll start with that first fundamental right. The right to be heard. Post-secondary’s have typically interpreted this to apply to the respondent only, and used or operated using an institution-as-complainant or survivor-as-witness type of model. Those of you who've read the guide or

attended our previous webinars know that we prefer a model in which complainants have equal rights to be heard and to respond to adverse evidence. In those resources, we made the case that respondents are not the only party facing severe consequences as a result of a decision in a sexual violence case. Depending on the outcome, a complainant may be faced with a toxic educational or working environment to the extent that they leave the institution. They can experience academic, social, personal, health, residence-related, career-related and financial consequences as a result of both the violence itself, and also the processes that we use to address that violence. So therefore, we have to consider them an affected party and grant them all of the rights that go with that.

This right to be heard is what brings about rights like reasonable disclosure of the case to be met. timely notice and hearings. The best – or the right to an advisor, to submit evidence and make statements, suggest lines of inquiry, provide names of potential witnesses, and so on.

So when we talk about a hearing, we often imagine those courtroom type settings with one or both parties present, legal representation or advisors, and a decision-maker or a tribunal. These are typically adversarial hearings, in which the parties present evidence and the decision-makers are relatively passive, relying on the parties to provide them with everything they need to make a decision. In fact, though, an adversarial hearing can cause significant harm in a campus gender-based violence case by fostering practices that can humiliate and traumatize or re-traumatize both parties, to the extent that the information gained is not as complete or useful as it could be.

Importantly, there is no automatic requirement for an in-person, oral adversarial hearing, unless your policy stipulates it. And where that's the case, we recommend being intentional about carefully using harm reduction measures throughout. These can be things like allowing the party to be separate – the parties to be separated by a screen, directing questions to the decision-maker rather than the party, requiring all evidence to be submitted in advance of the hearing and sharing with both parties ahead of time, allowing both parties to have advisors and or support persons in the room with them and so on. You'll find a whole lot more harm reduction strategies in the Guide.

In an inquisitorial process, by contrast, the decision-maker can be far more active, asking questions, seeking evidence and so on. And can do so without the party's ever having to be in the same room at the same time. In our view, the form of hearing best suited to campus gender-based violence complaints is for the decision-maker to hold individual, comprehensive, and iterative, where necessary, meetings with the parties and their advisors. In order for this method to be effective, the post-secondary must ensure that the parties have reasonable disclosure in advance and a good understanding of the essence of the matter to be decided, the possible outcomes, what they need to do to respond, and what could happen if they choose not to respond.

Reasonable disclosure means providing them with the information and evidence that the decision-maker will be relying on when they make their decision. So there's no need to disclose every single document or detail related to the case like there would be in a court of law – a criminal trial. It's also important to give the parties sufficient information and time to prepare, and a meaningful opportunity to present the information they need you to have in whatever form works best for them. The reality is that a hearing can take many different forms as long as it provides a meaningful opportunity for both parties to present their perspectives and their information. So it could be a document exchange, comprehensive and iterative interviews with a decision-maker, round table discussions, telephone or video calls or any combination of those. All of those things can be considered forms of hearings.

Britney: One of the timeless debates in PSIs is whether to allow lawyers into their hearings. Some PSIs have tried and failed to ban lawyers, while others have only allowed legal representation at the highest level. These efforts arise from a fear of aggressive lawyers bulldozing their way through a campus process. Everyone has heard or told stories of defense lawyers hired by respondent students derailed and controlled the process, making it far more difficult for everyone. Unfortunately, these stories have a half life of about 50 years. It's important to acknowledge, though, that it can actually be helpful to have a lawyer in the room. For example, lawyers can help clarify procedures or processes for their client, instill confidence that their client is getting a fair hearing, and help the client gather evidence and prepare for the hearing.

In order for this to work, though, the decision-maker should be thoroughly familiar with the procedures under which they operate and recognize that it is not only their right to rein in parties or their legal counsel when they step out of line, it's their responsibility. As we've mentioned in previous webinars, written procedures must be followed. But where they’re silent, there's significant room for discretion. One of the beautiful things about an administrative process is that it can be flexible and responsive to the parties and circumstances in each case. A skilled decision-maker knows exactly where they can exercise discretion, and they do so.

Another thing to be mindful of is the presence of criminal defense lawyers who, when hired to represent a responded to a campus policy complaint, may be operating in criminal defense mode, because that's what they know best. As a result, they may demand full disclosure of the case, insist on strict rules of evidence, or provide case law from criminal courts to point to legal precedent. The decision-maker is responsible to correct any mistaken assumptions that lawyers may come into the process with, and to ensure that the procedures they use come from administrative, not criminal law.

This is another place where it's good practice to require all procedural or legal requests in writing. A decision-maker who's not a lawyer can seek legal guidance for themselves on which precedents apply or don't apply.

And just quickly to note here that unionized workers who enter a complaint process are entitled to a union representative.

So let's look at how lawyers can be both helpful and can overstep in the context of our case study. Specifically, we'll look at how this can play out when you're deciding on the format of the hearing where policies and procedures are silent, and you're able to use your discretion.

So we'll start with Sara. Sara is feeling isolated and wants to return to her home to be with her family, which is in a different province. She tells her support person that she's worried about the hearing, and is struggling with the uncertainty of the process. With her consent, her support person connects her with the legal clinic on campus, where they offer free legal support to students who have experienced sexual violence. The law students at the clinic share some options with Sara and ultimately help her submit a request for the hearing to be virtual. Here, the legal support is clarifying the process and supporting Sara to make use of available procedures. In this example, you, as the decision-maker, retain control of the process, while also being provided with important information to help you decide on the format of the hearing.

Alternatively, Alexei has hired a lawyer who is adamant that the hearing must be done synchronously and in-person, and that both parties should be present. The lawyer contacts you directly, arguing that if you don't take this approach to the hearing, you'll be infringing on Alexei’s procedural fairness rights. In this example, Alexei’s lawyer is not only overstepping, they're also making a false argument as procedural fairness does not require a synchronous hearing with both parties present. As a decision-maker, it's your responsibility to correct the lawyer's mistaken assumption and to ensure that you do not attach more importance to Alexei’s request because it came directly from a lawyer than you do to Sara’s.

Ultimately, you want to ensure that you've received both Sara and Alexei’s requests in writing, and that you offer both parties an opportunity to weigh in on the request before making your decision. So after careful consideration and attention to procedural fairness and trauma-informed practice, you decide on an asynchronous hearing where you will conduct separate, virtual interviews with both Sara and Alexei.

Deborah: So now that the format for the hearing has been decided, how do you get to the truth? The best way to get good quality, reliable information is to create the space for parties to provide it. You want them to be as relaxed as they can be under the circumstances so that they are able to access memories, answer questions comprehensively, and articulate their answers so that they feel heard. Questions to the parties should be both trauma- and equity-informed. That is, rooted in an understanding of the effects of trauma, and recognizing the intersecting experiences of discrimination and barriers the parties may face. It's helpful to give parties and witnesses the space to think about and comment on these elements of their experience as well.

You don't want to consider evidence that doesn't help you answer the question before you. And that question might be, was there consent in this case? It might be, is this the right person who did what is alleged to have been done? Or do I have the authority to decide this case? You don't want to consider evidence rooted in rape myths, and we're going to dig into this a little bit more coming up. And finally, we advise that you provide an opportunity to challenge statements without cross-examination. Moderating cross-examination is a specialized skill. Even judges receive training in how to do this. Campus decision-makers are not equipped to deal with this and can do significant harm, not only to the parties, but also to the fairness of the process. Unchecked cross-examination can be blaming, triggering, humiliating, harassing, and, as we've already mentioned, a barrier to providing good information.

Now, there are still many who will argue that cross-examination is a fundamental part of fairness and is the only way to get to that capital T truth. They quote, a statement by an American legal scholar named John Henry Wigmore, who in 1923, said that cross-examination is, quote, “Beyond any doubt the greatest legal engine ever invented for the discovery of truth.” End quote. So, this is a lofty claim, and this quote continues to be invoked in courts and other quasi-judicial processes. And it is persuasive to many people even today. However, not everyone agrees. Some legal scholars, including Busby and Birenbaum in their book on Achieving Fairness in Campus Sexual Violence Complaints, have argued that empirical support for this claim is, and I quote, “Frankly, nowhere to be found.”

Others have pointed out that it only holds true for witnesses who are intentionally withholding the truth or providing false information. And just recently, the Nova Scotia Mass Casualty Commission final report addressed the criticisms from parties about their process and the refusal to allow cross-examination of the witnesses in that inquiry. Among other reasons, the report noted that, “Exposing witnesses to cross-examination by various participant counsel would have run the serious risk of damaging them even further and consequently thwarting our opportunity to receive their best evidence.”

Now, what a lot of people don't know is that Wigmore wrote in that same treatise, and I apologize for the mass of text on this screen, but I wanted you to see the exact wording. “Modern psychiatrists have amply studied the behaviour of errant young girls and women coming before the courts in all sorts of cases. Their psychic complexes are multifarious, distorted by inherent defects, partly by disease derangements or abnormal instincts, partly by bad social environment, partly by temporary physiological or emotional conditions. One form taken by these complexes is that of the contriving of false charges of sexual offences by men. The unchaste, let us call it, mentality finds incidental but direct expression in the narration of imaginary sexual incidents of which the narrator is the heroine or victim. On the surface, the narration is straightforward and convincing. The real victim, however, too often in such cases is the innocent man; for

the respect and sympathy naturally felt by any tribunal for a wronged female helps to give easy credit to such a plausible tale."

It takes a minute to think about what this actually means. So in other words, Wigmore's legal approach to sexual violence cases is based on the assumptions that most claims are false, that women who made them were inherently flawed or defective, and that accused men suffered the most and therefore cross-examination is absolutely necessary to establish the truth. It also reinforces the gender binary and traditional gender roles making it all too easy to dismiss allegations that arise with other – individuals of other genders or where the expected gender roles are reversed. So where your policy allows for cross-examination, you have discretion. We would recommend considering why it might be necessary in a particular case before allowing it, and providing alternative ways for the parties to challenge each other's evidence. If your policy requires providing an opportunity to cross-examine, be sure to limit it to what is absolutely necessary. and apply harm-reduction measures.

So we're going to turn back now to our case study. Sara and Alexei, let's assume for a moment that rather than individual virtual hearings, your policy requires a synchronous, oral hearing with a right of cross-examination. This is likely going to put added stress on Sara making it difficult for her to recall the memories of the incident, and ultimately, it may be less likely she is able to provide quality information in response to the questioning. A hearing that looks and feels like a courtroom is likely to have a negative effect on Alexei as well, making him feel like a criminal and almost forcing him to adopt a defensive posture. If he did want to take responsibility and commit to change, he may not feel able to do that in such a high stakes environment.

To mitigate these issues, you might consider some harm reduction measures, such as ensuring that both parties have access to a support person in the room, setting out clear rules about what is and is not allowed, including, for example, prohibiting questions that are rooted in rape myths, or questions about Sara's sexual history, or questions about how she behaved following the incident. You can also reduce harm by being vigilant about prohibited questions. Requiring questions to be directed to or through the decision-maker, where possible, in writing. And not just limiting the types of questions but also limiting the amount of time allowed for cross-examination. Maybe you would schedule a break immediately following the cross-examination and also allow for additional breaks as requested.

You can also get creative here. For example, if the hearing is taking place virtually, you might allow Sara to turn off her camera and request that Alexei do the same as well. Unfortunately, the practice of cross-examination, much like the complaints process itself, can cause significant harm. So while you can help to reduce the harm that the parties may experience, ideally, your policy will not require cross-examination and the parties will have the opportunity to challenge adverse evidence in other ways.

Britney: Now that all the evidence is in, how do you make your assessment? Remember that the rules of evidence are flexible. You can accept any kind of evidence as long as it is reliable and credible and helps to answer the question before you, which will be some variation of has this individual violated the Sexual Violence policy? Make sure you are trauma- and equity-informed when you assess credibility and reliability. This might require asking additional probing or clarifying questions rather than assuming you know what the party means when they use a common expression, for example.

Some evidence needs to be excluded in order to avoid relying on rape myths. Irrelevant questions, including sexual history of the complainant, what they were wearing, how they were acting and other questions that aim to focus on the behaviour of the complainant rather than the respondent, as well as evidence that shifts the blame onto the complainant should be excluded. We're even starting to see this being recognized in policy. In 2021, Ontario amended its regulations on post-secondary institutions' sexual violence policies, requiring them to include a statement that students who disclose their experience of sexual violence through reporting an incident of, making a complaint about, or accessing supports and services for sexual violence will not be asked irrelevant questions during the investigation process by the college's or university staff or investigators, including irrelevant questions relating to the student's sexual expression or past sexual history.

You should also exclude evidence that speculates on whether the respondent is the type of person to commit such a violation. If the evidence does not speak to whether or not they did violate policy, it should not be considered. Any claims that the complainant is the type of person to make false allegations are equally invalid and need to be excluded. Likewise, you should not consider opinions from witnesses who claim that a party is trustworthy or untrustworthy because of their character. You should also exclude evidence of the respondent's previous behaviour at this stage. Although this may help predict risk, previous acts are not evidence of subsequent behaviour. So you'll only take this into account when you start to consider the appropriate outcome.

Any evidence based on discriminatory assumption should also be excluded. This can take many forms. For example, opinions or attitudes about gender expression, religious beliefs, cultural practices, and so on, do not constitute evidence about whether or not a policy violation occurred. Finally, we also recommend that you exclude statements made in non-adjudicative processes. For example, a restorative process where participants must be able to speak openly and honestly, without fear of their words being used against them in a future complaint. Essentially, you want to focus on information that answers the questions before you. For example, if the matter turns on whether or not there was consent, focus on that, and then apply your policy's definition rigorously. In this example, you would not accept a claim that included implied consent, for example.

Deborah: So recall in our case that Alexei has not actually disputed the facts as presented by Sara. He has said that he was intoxicated and doesn't recall getting physical with her. And he disputes the interpretation that his subsequent actions constitute harassment. So his going into her room and texting her sexual messages without her consent. He disputes that that is harassing behaviour. He's also noted that the incident, the first incident, took place off campus, which alerts you to the possible issue of jurisdiction. So you start with that third question. Does your policy give you authority to impose sanctions for an off-campus incident over which your institution had no control? This was a private party.

You see, the wording in your policy indicates that the policy applies when the conduct has a real and substantial link to, or a material effect on the educational environment. Note here that your own policy might not grant this authority to address conduct at off-campus private events. If that were the case here, you would be able to consider only the on-campus harassment, but not the incident at the party. But in our case study, you consider residence to be part of the educational environment, and you find that the conduct does affect Sara’s safe and equal access to spaces in residence, including her own room. Therefore, you decide on that first question that you do have the authority to apply the policy.

Next, you consider the facts and compare them to your policy definitions. Alexei has said he's unable to remember the incident at the party. If Sara’s statement is credible and reliable, and Alexei doesn't recall, there is no dispute of the facts and you can accept Sara's version of events, even if the investigation report doesn't provide any corroborating evidence. Now, if there is evidence that Sara's account is not correct, such as a person who witnessed the entire incident and reported that there was no physical contact, your finding may be different. But in this case, there was only Sara's statement and you accept that Alexei did push and hold Sara against a wall without her consent while making sexual comments to her. And therefore you find him in violation of the sexual violence policy.

Next, you review the information Sara provided about Alexei’s subsequent behaviour, including the allegation that he entered and stayed in her room without her consent on multiple occasions, and sent her messages he knew to be unwelcome. Again, Alexa has not disputed these facts, but he has objected to his actions being characterized as harassment. So you compare the facts to your policy definition and find on a balance of probabilities that Alexei is in violation for these acts as well.

Britney: Now, without getting too into the weeds here, we want to remind you about the effects that trauma can have on the evidence you're collecting and assessing. Because memories of events constitute evidence in complaints processes, understanding how trauma affects memory is important. For example, memories of the traumatic event are often not linear and may focus more on sensory information because of how this information is encoded. How this information is recalled is also affected

by trauma. So if person is experiencing stress when asked about the incident, they may have a more difficult time recalling that information.

A trauma- and equity-informed approach reminds us that a survivor's trauma response could result from the individual feeling a loss of control and a risk to their life, regardless of the nature of the incident. Therefore, a survivor's reactions may be the result of a trauma response and not within their control. Additionally, different individuals will react differently. The trauma response can also result from previous trauma that has been reactivated or triggered, including ongoing systemic oppression and intergenerational trauma. So you may not be able to predict who will have a trauma response based on the, quote/unquote, "severity" of the incident. And all of this is simply a reminder of the importance of trauma informed interviewing and assessment of the evidence.

Deborah: One place where criminal law approaches can seep into campus complaint processes is with a standard of proof, especially for sexual violence. Which, as we all know, can also be criminal in nature. The standard of proof that you should be applying in all cases, no matter how serious, is a balance of probabilities. Which means that as a decision-maker, you're determining whether it is more likely than not that the respondent violated the policy. Unlike that, beyond a reasonable doubt standard applied in the criminal context, a balance of probabilities standard is so slight, you often hear it described as 50% plus a feather. This is a yes or no question. Did that person violate policy? If you land on yes, you move on to the next step in your decision-making.

It is extremely unusual, possible, but extremely unusual to hit a balance of exactly 50%. But in those rare cases, where the two accounts of what happened are equally credible and consistent, but contradictory, and there's no evidence beyond the two statements, your finding must be that the policy violation is unsubstantiated. Be careful, though, to ensure your analysis of the two statements is both trauma- and equity-informed. Be clear in your own mind and to the parties that you're finding is not that the conduct didn't happen, but that there was insufficient evidence to impose discipline under your policy. And once you have answered the yes/no question, turn your mind to the appropriate discipline or sanction. It is important to separate these decisions to avoid the trap of applying a more lenient sanction because you weren't 100% sure of your finding. As long as you have found the violation was even a feather above 50%, you have a yes, and you should not revisit that when considering the outcome.

What you do want to consider are aggravating, mitigating, and compounding factors. An aggravating factor is something that makes the conduct more egregious. Things like premeditation, or the abuse of a position of power, and so on. These factors would weigh in favour of a more severe outcome. Mitigating factors are those factors that might weigh in favour of a more lenient outcome. Another way of looking at this is, for example, a person who used force in order to commit sexual violence versus a person who, through persistence, failed to obtain clear consent. Or an individual who intentionally induced incapacitation by

slipping a drug into the drink of the reporting party, versus someone who took advantage of a person who was already incapacitated.

These would all be violations of the same section of the policy, but the former could draw more severe outcomes than the latter. There may also be what we call compounding factors, such as where the respondent has a history of similar violations. And this is where you can take that into account or patterns of behaviour, concurrent violations all at the same time, or evidence of serial misconduct. These are factors that take into account the totality of the circumstances rather than just considering the isolated incidents. Not all cases will feature all three of these kinds of factors: aggravating, mitigating and compounding factors. But if they were considered in the choice of outcome, they should be clearly articulated in the written decision. Because that's how the decision-maker demonstrates their reasonableness in case the decision is challenged on appeal or in a grievance or on judicial review.

So we'll walk through our case study with this. The hearing’s now over. You’ve considered all of the evidence and the parties have each had their opportunity to respond. Applying that balance of probabilities standard of proof, you found Alexei in violation of the policy and now you move on to deciding the appropriate sanction, going through those relevant factors. You see that Sara and Alexei agree that the offending conduct only happens when Alexei is drunk. Given that he's aware of that but has not really taken steps to curb his drinking, you consider this an aggravating factor. This is really important because being drunk and therefore, out of control of one's own actions, is often misconstrued as a mitigating factor and incorrectly considered as a reason to be more lenient when applying a sanction. A person's choice to become intoxicated is not a justification or excuse for harming others, it is an aggravating factor.

In this case, you don't identify any mitigating factors. And you consider the repeated harassment, that is those multiple instances of Alexei entering Sara's room and texting her repeatedly after being told not to, as a compounding factor. So this weighs in favour of a more severe sanction. And then, you consider a fourth factor. That although you found that there was a policy violation on a balance of probabilities, your assessment sat fairly close to the 50% mark because you relied on Sara's account alone, and there were no witnesses and no other evidence. So because you're not 100% sure, you decide to impose a more lenient sanction. This is a mistake. Even though you may feel conflicted when the balance of probabilities is close to that 50% mark, applying a more lenient sanction, because you're not sure about your finding that Alexei is in violation of policy is almost equivalent to adopting a higher standard of proof.

Remember, you've already answered that yes/no question of whether Alexei violated your policy on a balance of probabilities. If you're really unsure that you made the right decision, go back to the evidence and double check that you have considered all of the relevant information. Once you make that decision, move on. Consider this: even in a criminal

court where they use the highest standard of proof, a judge or jury may not be 100% sure. That's rarely ever going to happen. There is room for reasonable doubt. So in your campus decisions, be scrupulous about applying the appropriate balance of probabilities standard of proof, more likely than not, 50% plus a feather, and then move on to your decision about sanctions or outcomes.

Britney: So now we're moving on to the second foundational right in procedural fairness, which is the right to an impartial decision-maker. We'll look at various external and internal factors that can undermine this right, including conflicts of interest or commitment, and bias. And as you've undoubtedly heard before, the reasonable apprehension of bias or conflict is just as confounding as actual bias to an impartial hearing.

A conflict could reasonably arise anytime there are factors outside of the case itself that could sway a decision one way or the other. The classic example of a conflict of interest is research on the effects of smoking by tobacco companies. In our context, it could happen, for example, when one person is tasked with multiple roles within a PSI, such as both advising or supporting one or both parties and making a decision on their case. There could also be a conflict when the org chart places the decision-maker in a position where their loyalties to their own duties or to the office in which they work might be in conflict with making a decision in a case. Conflicts of interests like this make it difficult to determine which objectives their decisions serve and whether they are just based on the evidence at hand or whether they are affected by these external factors.

When a decision-maker has a personal or professional interest in the outcome of a case, there may also be a reasonable apprehension of bias. This interest could come from external sources, like the conflicts of interest or commitments we just mentioned, or it could be internal. For example, their own beliefs and attitudes. Because these are so entrenched, biases like these and others like confirmation bias, recency bias, similarity bias, and all of the other things can affect your decisions. These are all very difficult to root out, and we will likely never be able to eliminate them entirely. But it's important to try and the best way to do that is to educate ourselves.

A reliance on myths, misconceptions and stereotypes can lead to biased decisions. Decision-makers could come to incorrect conclusions by grounding them in these mistaken beliefs, and we'll get into this in more detail in a few minutes. Rape myths could very well affect decisions and are not based in fact. This is one of the main reasons training is so important. It corrects the biases that have permeated decision-making for centuries. Likewise, unconscious attitudes reinforced by oppressive systems can also create bias, particularly when parties come with intersecting disadvantages or privileges and the decision-maker has failed to attend to their own sexist, racist, ableist, and cis- and heteronormative beliefs.

Reasonable apprehension of bias is, in principle, an objective standard: whether a reasonable and right-minded person would reasonably perceive bias. But importantly, the reasonable person standard can't rely on outdated assumptions about what is reasonable and right-minded or be based in white, hetero, patriarchal norms. It requires both trauma- and equity-informed practice.

Deborah: In Chapter 6 of the Comprehensive Guide, we list the necessary roles in a complaints process and discuss how they might overlap in some cases. However, in the case of decision-makers, including appeals, avoiding the appearance of a conflict means a decision-maker must not have directed an investigation in any way. They must not have provided advice or support to the parties. And they cannot have a personal or professional connection to the parties. They also can't be, if they are hearing an appeal, they can't have been involved in hearing the original – making the original decision. The remedy to address both the appearance of bias and real potential bias and conflicts of interest is to declare them and manage them. And the onus is on the decision-makers themselves to identify anything that might taint the decision. So there may be times when it's necessary to recuse themselves from a particular case.

We recognize that this can be a real challenge for small post-secondary's or those in remote areas. If you're in a community where everyone knows everyone, and where one person carries out multiple roles, a perception of bias may be difficult to avoid. There are some things to note here. Simply knowing about a case, or knowing both parties, does not necessarily create bias. But having a hand in a case prior to or outside of the decision in front of you is problematic. And so is having a personal, educational, or professional relationship with either or both of the parties. So, where resources are scarce, this may be the time to get creative with these roles.

Is there a similar sized post-secondary in the area with the same challenges? Can you create a reciprocal relationship where your decision-makers hear each other's cases? If you try this, we would recommend that all decision-makers go through exactly the same comprehensive training. Where that's not possible, consider other post secondary's maybe further afield, but still in your own province or territory so that the applicable legislation is the same. But we now have the technology and the capability to hold remote and virtual hearings, which opens up a whole new set of options that was not available pre-pandemic.

One of the strategies in the guide is to approach every decision with an open mind and to make decisions based only on the evidence before you. So today, we're going to look at three things that could undermine that open mind. The presumption of innocence, "I believe you" campaigns, and reliance on rape myths.

Britney: The presumption of innocence is one – another one of the key concepts that PSIs mistakenly import from the criminal legal system. It's connected

to the right to remain silent, meaning that when a person under allegation chooses not to speak in their own defense, the decision-maker must start from the assumption that they did not do what they are accused of having done. Together, the right to be presumed innocent and the right to remain silent are integral to the beyond a reasonable doubt standard of proof. This is simply untenable in an administrative system where there is no way to compel testimony or evidence.

In an administrative process, it's up to the complainant to provide or point to sufficient evidence for the investigator to meet the more likely than not standard. The presumption of innocence is actually not neutral in this context, in that presuming the respondent is innocent necessitates starting with a presumption that the allegations are false. So the balance of probabilities standard of proof, which is our correct standard of proof in this context, requires the decision-maker to approach every case with an open mind without presumptions either way. And there are two court cases that are very clear on this matter.

In Gao v. Canada, it states, “The right to be presumed innocent under … the Charter is limited to criminal matters.” And in Shoemaker v. Canada, they determined that, “There was no presumption of innocence or necessity of proof beyond a reasonable doubt,” because the matter under consideration was administrative and not criminal. This means that respondents to a campus complaint can choose to remain silent. But that choice is not consequence-free. Decision-makers are allowed to draw what's called an adverse inference, such as coming to the conclusion that if a respondent had any evidence or information to provide in their own defense, they would provide it. But there are a couple of caveats to this.

First, if your campus policy stipulates a presumption of innocence, you must follow it. But we would strongly encourage you to think about revising your policy on this point. And second, where there are campus and criminal processes happening at the same time, where a respondent’s statement to a campus investigator or decision-maker could be obtained through a court order for use in a criminal trial, it becomes much more complex. Discussing the nuances of this would probably take us a whole other webinar. So we encourage you to take a look at Chapter 13, which is in Section 4 of the Guide for a detailed analysis on this point.

But for our purposes today. The important thing to note is that if you are aware a respondent is also facing criminal charges, and that respondent chooses not to participate in the campus process, you may want to take into account that even though there may be evidence or information they want you to have, they may have been advised by their legal counsel not to speak to you.

Deborah: On the other side of the coin, maintaining the perception of impartiality can be tricky on those campuses that have committed to a, “We believe survivors,” type of campaign. Now, to be clear, these campaigns are a necessary correction to general societal attitudes about survivors and misconceptions around the prevalence of false allegations of sexual

violence. Particularly when a survivor is seeking support or assistance, it can be extraordinarily harmful for them to be met with skepticism, or blame, or disbelief. Support and assistance doesn't require details about what happened and should not be contingent on a finding that sexual violence occurred.

However, in the context of a complaint, it must be made very clear to the parties that the decision-maker is not approaching the matter with any preconceptions about who they believe and what they will – and that they'll make their decision based only on the evidence in front of them. It should also be made clear, though, that asking questions and seeking clarifications are not expressions of belief or disbelief. Rather, they are a way to help the decision-maker fully understand the submissions of the parties, to really hear the case before deciding it. And this is both a key element of the right to be heard, and procedural fairness, and a trauma-informed practice.

Britney: And finally, and probably obviously, rape and racist myths create a bias when decision-makers rely on them. So, to highlight a few, some common myths to be careful to avoid include believing contrary to evidence that most sexual assaults are committed by strangers; they're not. Presuming sexual assault can't happen in the context of a consensual personal relationship; many do. Clinging to ideas about what a, quote/unquote, "real" victim or perpetrator looks like; there is no typical profile. Holding rigid attitudes about gender and gender roles. Believing that women are more likely to accuse men of sexual assault because they, quote, "regret" sex after the fact. This is not based in fact. And using the complainant's behaviour before and after the incident to assess their credibility without applying a trauma-informed lens. Because it's easy to mistake trauma for dishonesty if you're not alert to the effects of trauma.

Deborah: So here's some examples of how each of these beliefs can undermine an open mind might play out in our case study. Alexei's lawyer practices criminal defense and tries to argue that Alexei must be presumed innocent until proven guilty. Here, of course, the lawyer is incorrectly importing this principle from the criminal law. And it's your job, as the decision-maker, to correct this assumption and let them know that the presumption of innocence does not apply in an administrative process like your own. Believing survivors is important to you, personally and politically. And so when you meet Sara, you tell her that you believe her. Your intention is to prevent further harm against her. However, while this is an important approach for those providing support to Sara, it puts you in conflict as a decision-maker. By starting from a position of belief in order to support Sara, you are allowing external factors, that is your beliefs and attitudes about believing survivors, to influence your decision about whether or not there was a policy violation, which creates a reasonable apprehension of bias.

You should make sure that Sara has access to a support person who believes her, but that should not be you. And while you may have done this to reduce harm, it may actually be more harmful to her. For example,

it might create the expectation that you will find a policy violation when that may not be the case. It also creates the potential for Alexei to appeal your decision on the grounds of decision-maker bias. As the decision-maker, be clear that your task is to decide on whether the evidence supports a policy violation. And this is really important. You're not actually determining whether or not something happened. You're not proving guilt when you make a finding of a policy violation.

Many sexual violence complaints arise from actions that occur with only two people in the room, and they each have a different version of what happened. Your role is to make that finding, on a balance of probabilities, as to whether or not there was a policy violation. This way of understanding your role is a subtle but really important and trauma-informed shift that can also reduce the harm of disbelief. Unless there's actual evidence that a complaint is fabricated, deciding that there was no violation does not mean you've decided nothing happened. It's only that you don't have sufficient evidence to meet your standard of proof.

Now, as part of his response, Alexei includes the information that Sara has continued to socialize with him after the incident. Accepting this information as evidence that the incident did not occur would be an example of relying on a rape myth. Specifically, the mistaken belief that a person's behaviour before or after an incident of gender-based violence is relevant to whether the violence occurred or not; it is not. It would also mean failing to apply a trauma-informed lens, which explains how trauma can result in seemingly counterintuitive behaviours, including beginning or continuing a relationship with the person who caused them harm.

Britney: So, everything that we've said so far also applies in the context of deciding an appeal. But we're going to add a few points that apply to appeals specifically now. A key piece of information here is that appeals are not an element of procedural fairness. They're constituted by the PSIs enabling statute. So when an appeal is required in your provincial or territorial PSI legislation, which is the case in Alberta for example, you must offer one. However, for other jurisdictions where the statute is silent, it's still a good idea to offer one. And we recommend providing both parties with an opportunity to appeal as appeals can cure mistakes internally, build trust in the process, and help to avoid expensive and time consuming judicial reviews or arbitrations.

There's a common misconception that a hearing de novo or a fresh re-hearing of a case is the fairest option when providing an appeal. We've even seen this in policies that mistakenly assert that a re-hearing is required under procedural fairness; this just isn't true. A true appeal, or appeal on the record, which is essentially a review of the fairness of the previous decision, is actually more in line with both procedural fairness and a trauma-informed approach. It also more effectively balances other institutional considerations such as limited budgets, staffing, resources and facilities with the need for a fair and timely resolution.

In a true appeal, it's important to show a high degree of deference to previous decisions. If the initial decision was made fairly, policy was applied correctly, and the outcome was within a reasonable range, it should stand. The appeal decision-makers should not replace it with their own, even if they themselves would have decided something differently.

And appeals should be made available to both parties and could be considered on any of the following grounds: jurisdiction where an appellant believes the decision-maker did not have the authority to make the decision they did; correct application of policy where the appellant believes the definitions and principles in the policy were incorrectly interpreted and applied; questions of fact, where the appellant does not believe the conclusions were supported by the evidence; procedural fairness where the appellant does not believe they were afforded those two basic rights, the right to respond to adverse evidence and the right to an impartial decision-maker; or, any other rights that are granted through your institutional policy and reasonableness of decision, where the appellant does not believe the outcome is proportionate and supported in the written reasons.

So in our case example, you found that Alexei violated the Sexual Violence policy, and you impose a no contact order, a behavioural condition that he's not permitted to drink alcohol or be drunk on campus, and you exclude him from campus residence buildings. These sanctions together address the fact that he only harassed Sara when he was intoxicated. And the fact that their harassment persisted as he continued to enter and remain in her room, and to send sexual text messages after being told he did not have her consent to do so. You provide your decision, including your reasons and the information you relied on, in writing, to both Sara and Alexei. You also inform Sara and Alexei that, should they wish to appeal the decision, they may do so by submitting a request in writing within 10 days of receiving the decision.

Sara is relieved. She's ready to move on from the process and begin to focus on healing. Alexia is upset, but it feels better knowing that he can appeal the decision without having to get into a drawn out, complicated legal battle. Alexei decides to appeal the decision on two grounds. First, he believes you did not have authority to make the decision about the initial incident. He believes that because the incident took place off campus in a private residence, the Sexual Violence policy was not applicable. Second, he took issue with the severity of the sanction. He had already been moved to another building away from his friends, but being banned from residence buildings means he has to find an apartment off campus and would no longer be able to hang out with his friends and residents. They're his only social group, and he believes keeping him away from them is overly harsh.

Even though he does not agree with your assessment that his on-campus activities constituted harassment, he's acknowledged that his conduct falls within the policy definition and has decided not to appeal that part of the decision. The idea of going through an appeal is hard for Sara. But when

she's told more about what the appeal will look like, that the focus of the appeal will be on whether or not the university is allowed to apply sanctions to Alexei because the incident was off-campus, and whether or not the sanctions are appropriate, and that it won't be deciding whether the incident itself occurred, she feels slightly better. She's relieved she doesn't have to tell her story at another time or find more evidence to convince anyone about her experience.

Because the written reasons you've provided are clear, the appeal body is able to rely on them and doesn't need to meet with Alexei or Sara. This is a good thing for Sara and Alexei but also for the PSI. The administrative difficulties associated with scheduling hearing with the parties and witnesses is alleviated by holding a true appeal on the record. It also limits the amount of trauma those facilitating the appeals process are exposed to as they're able to focus on the question of jurisdiction and substantive fairness rather than re-hearing the entire case. However, if either party did want an opportunity to present their arguments verbally as well as in writing, they could request an oral hearing with the appeal body, or make any other procedural requests, such as introducing new information that was not previously available.

Note that one party's request for an oral hearing does not necessarily mean that both parties have to present their case orally. But if one makes the request, the other may choose to do so as well in order to feel assured that they have been heard. This is why it's important to get these procedural requests in writing, and to provide the other party with a chance to respond. So the appeal body, as the new decision-maker, would ensure procedural fairness by allowing the parties to respond to any procedural requests that affect them, and then make decisions on any procedural requests associated with the appeal.

Deborah: Before we wrap up, we also want to acknowledge the importance of taking care of yourself as decision-makers or others involved in facilitating the complaints process. You'll be exposed to distressing stories of traumatic experiences and this can be really, really heavy and distressing for you. Taking care of yourself is important for your own well being, and also for the people you're engaging with in these spaces. So how do you recognize the signs of compassion fatigue, or a vicarious trauma response in yourself? What practices do you engage in to prevent burnout? Or when you are feeling the effects of burnout, what resources are available to you to support your well-being and self-care? And where can you go to connect with the land and just be in nature?

Those of you who've heard me talk about the self-care industry know that I also believe there are some things that self-care just can't solve. A reliance on self-care can be isolating and actually feel more like a burden than a solution. We're social creatures, and we're not made to be isolated in our suffering. So don't forget the necessity of what we call community care, and being connected to others. Be sure to find your people. Schedule debriefs and check-ins and connect with them often.

So the main messages we'd like you to come away with today are that a procedurally fair process includes the right to be heard and to respond, and an impartial decision-maker. Over-correcting and improperly importing elements of the criminal system may do the opposite of what was intended and actually create a less fair process. Procedural fairness alone is insufficient. And in fact, a rigid adherence to procedures without regard for the people involved is harmful. Decision-makers at all levels are responsible to ensure that they control their processes and provide fair processes that take into account the effects of trauma and recognize intersecting disadvantages. This is in fact a way to get better information from the parties and witnesses so that you can make an informed decision based on evidence, not internal or external factors. We urge you also to never forget that these policies and procedures are put in place for people who are seeking equity and possibly justice.

So thank you for joining. I can't believe it's our final Deep Dive session. We are finished with this series. And we appreciate all of you for joining us here. If you've missed any of the previous sessions or you want to revisit them, you'll be able to find all of the recordings on the Courage to Act National Skillshare Series page. And we also have, coming up, a couple of things on the horizon that you'll want to stay tuned for.

The first is our next “Unsettled Questions” whitepaper. So in Section 4 of the Guide, we explored three, what we called, unsettled questions. So those issues for which there isn't any clear case law or best practice. Following the publication of the Guide, we identified two further questions. Our first whitepaper examined the unsettled questions of how post-secondary should address student-instructor relationships. And that one is currently available on the Courage to Act Knowledge Centre.

Now, after holding roundtable discussions with a panel of experts, we're finalizing our second whitepaper. And in this one, which will be available this spring, we get into the thorny issue of information, privacy and disclosure between institutions. The proverbial passing the problem when we have information about an individual who's committed gender-based violence at our institution, but we know they're moving to another one.

We're also excited for our final event of the year and the final working group event for our whole project, which is a keynote address. And it tackles one of our enduring messages and foundational beliefs, that complaints processes cause harm and are not necessarily able to provide the kinds of outcomes that survivors are seeking. And they are certainly not preventative. So while we've spent the majority of our time in this project, and in the working group, developing tools and resources to ensure the safest and most effective complaints processes possible, we do urge you, and you we've always said this, we've urged you to use these processes sparingly and only when absolutely necessary. We believe PSIs should consider alternatives to the complaint process in order to better meet survivor needs, and create space for true accountability and foreground prevention for safer campuses.

So on May 24th, Sarah Wolgemuth will cap off our work and talk through what supportive accountability could look like with the we can do better keynote.

Laura: Thanks Deb and Britney. I'd now like to invite our attendees to share any questions and comments. You can do so by typing these into the Q&A box at the bottom of your screen. I did see a comment that the Investigation Deep Dive doesn't seem to be on our website. So I'll definitely get that corrected. But it is available in both English and French on our YouTube channel. And there is a link in the chat. So yes, if you have any questions for Britney or Deb, feel free to write those down. I know there was quite a bit of information shared today.

OK, it looks like we have one question. How do you deal with counter complaints? Deb, I don't know if you want to start with that question?

Deborah: Yes, these are painful. Yes. And this is something that does happen where one makes a complaint and the other comes back and says, "No, it wasn't me. It was the other person who committed some sort of violation." The process we've been describing, this inquisitorial process, is actually better for these kinds of complaints and counter complaints as well, because you can hear the whole matter in one procedure. You don't have to hear one complaint, where one is the complainant and the other is the respondent. Get the outcome of that one and then hear the other one separately. It's much better to get all of the information in one big process, and then make your decision about whether this one violated the policy and whether this one violated the policy. When you come to that yes or no, then you start considering those factors for sanctions. So this is actually a much better kind of procedure for handling those counter complaints. I don't know, Britney, if you have any other comments on that?

Britney: No, I – just to reinforce the idea that you're coming into this with the balance of probabilities standard of proof, taking no presumptions. So having all that information and then being able to make your assessment is the best way to go about that. And it also gives both parties an opportunity to feel heard. And also, possibly alleviating some of that defensiveness. Deb talked about this in the webinar. That a respondent might come to a more adversarial process if they're looking to raise their own complaint that's separate from the issue at hand.

Deborah: And I think the only thing I'll add on that is that not hearing the matter twice is also a trauma-informed approach. You don't have to rely on the parties to repeat their stories over, and over, and over again. You hear it all in one process and make your decisions on that basis.

Laura: Thank you Deb and Britney for making those really important points about counter complaints. We do seem to have another question. Are there specific training opportunities you would recommend for equity-informed interviewing approaches?

Deborah: Specific training is so, so hard to find. I think we had to talk about this in our Investigation Deep Dive as well, where really like you need to start sort of casting your eyes beyond your own specific role. And thinking about, OK, where can I become equity-informed? What do I need to do to, you know, address those internal biases? So you might be taking some EDI training, you might be taking some HR training, you might be taking training from a student conduct type of environment, or a faculty or union type of environment. And the principles are the same. So I don't think, you know, while you might not be able to find specific training that is for your role, you will be able to find training based on those principles. And I think that's the best advice I can give on that.

Britney: Yes, that's – Deb, you nailed that. That's something that we've been – this question comes up a lot, I think. And another thing, I think, to support on top of the training, and Deb mentioned this in the context of self-care, community care, is to find those people who do work similar to you who are making those decisions, and having that community to discuss what you're learning, how you're approaching these issues, and how those principles from different trainings might apply. And also, if you do come across some really rad training that supports what you're doing, and you find it really helpful for your role, sharing that out with your peers, as well. So just another way to say, yes, maybe have to be a bit creative. But yes, there's some different ways to go about that.

Laura: Thanks Deb and Britney. I like that you're explaining that you can go to any kind of training related to this and be able to apply. Might take a minute to sit down afterwards and see how it applies to your role. But that's really important work to do. So just wondering if we have any other questions? I know, it can usually take a minute to type them out during these virtual webinars.

So I don't see any other questions. So I just want to say a big, big thank you to both Deb and Britney for sharing your knowledge and expertise with us today. As I said before, you're both brilliant and I learned so much from you. Their Guide is available for download via the Courage to Act Knowledge Centre. So please take the time to read that. I also want to thank our interpreters, Gene and Danielle, our captioner, Shaayna. Thank you so much for making these webinars more accessible. A big thank you to Andréanne for supporting me in the background. And I also want to thank all the attendees for joining us today and sharing with us today. We really appreciate and take inspiration from your commitment to addressing and preventing gender-based violence on campus. We're really lucky to be able to work alongside each and every one of you.

Thank you for joining us, and a kind reminder to fill out our evaluation form. I'm just going to pop that in the chat. We'd really appreciate your feedback. So that does help us improve. So take care everyone. Bye for now.

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