

Sexual Violence Policy & Response Protocol

Issued by: Victor Popow, CEO NWLEA

Effective: Sept 1/2017

Revision Date: Oct 2/17

Application and Scope: All NWLEA stakeholder, management, contract service personnel, instructors and attending students.

1. Purpose and Introduction

Northwest Law Enforcement Academy is committed to providing a safe positive learning & work environment in which all individuals are treated with respect and dignity. Each individual whether attending student, instructor or management person has the right to participate, learn and work in an environment that promotes equal opportunity and prohibits discriminatory practices, sexual harassment and sexual violence.

Manitoba private vocations institutions are required by legislation to address, prevent and provide support to issues related to sexual violence.

The Academy fulfills MB Government Policy under The Sexual Violence Awareness and Prevention Act and policies and procedures in place that allows the Academy to respond in the event a student comes forward to disclose sexual violence this includes:

- Listening to complaints/disclosures and responding in a sensitive and understanding manner
- Providing information to the student about the Academy's response procedure
- Offering information or making referrals to support service providers with experience addressing sexual assault and trauma and
- Providing the student with reasonable accommodation while at the Academy All individuals, students and employees, instructors are covered by the sexual violence policy at the Academy.

The Academy recognizes that certain populations are at greater risk of sexual violence in Canada which includes:

- Young women & girls
- Indigenous women
- Women living with cognitive or physical disabilities
- Individuals within the LGBT2SQ+ community
- Newcomer women and women from ethnocultural and racialized communities

2. The Scope

The policy applies to complaints of sexual violence or sexual harassment that have occurred on the Academy facilities or at an Academy offsite event (volunteer or otherwise) and involve persons of the Academy as defined in paragraph one under Application & Scope.

3. Definitions:

“Sexual Misconduct” any conduct that may include sexual violence and sexual harassment.

“Sexual violence” is defined as any sexual act or act targeting a person’s sexuality, gender identity or gender expression- whether the act is physical or psychological in nature- that is committed, threatened or attempted against a person without the persons consent, and includes sexual assault, sexual harassment, stalking, indecent exposure, voyeurism and sexual exploitation.

“Sexual assault” is defined as any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim. Sexual assault is characterized by a broad range of behaviors that involve the use of force, threats, or control towards a person, which makes that person feel uncomfortable, distressed, frightened, threatened, carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of consenting to. Sexual assault is a prosecutable crime.

“Sexual harassment” is defined as a course of abusive, unwelcome conduct or comment; or, any sexual solicitation or advance that is known, or ought to be known to be unwelcome, especially if it may reasonably be seen to be putting a condition on employment and/or training, or the receiving or withholding of any benefit or service. The unwanted behavior may be either physical or verbal.

It may also include one or more of the following:

- Unwelcome physical contact, such as touching, patting or pinching
- Implied or expressed promise of reward or threat of reprisal for complying with a sexual solicitation or advance
- Unwelcome offensive sexual remarks or jokes that denigrate one’s gender, sex, attire, taunting a person’s body
- Unwelcome, ongoing, sexual solicitations, propositions or advances made by a person to confer, grant or deny a benefit or advancement to the person where the person making a solicitation or advance knows or ought reasonably to know that it was unwelcome.
- Displaying derogatory materials such as sexist, pornographic pictures or cartoons
- Retaliation against an individual for reporting on behalf of oneself or another; or for having participated or cooperated in any investigation.

It includes but is not limited to harassment - On Academy premises - In the course of assignments/volunteer events/training sessions or field trips outside the Academy - At Academy related social functions - Over the telephone/cell/text If you believe you’ve been harassed, you are encouraged to immediately tell the harasser to stop.

“Consent” -Consent is central to sexual assault. The Criminal Code of Canada defines consent as it relates to sexual assault at the voluntary agreement to engage in sexual activity. An individual must actively and willingly give consent to sexual activity. Simply stated, sexual activity without consent is sexual assault.

Young people, like many others, often do not fully understand consent and can feel the line between consensual sexual acts and sexual assault can be unclear, this is particularly true when an acquaintance, friend, or partner is the perpetrator.

Consenting to one kind, or instance, of sexual activity does not mean the consent is given to any other sexual activity or instance. No one consents to being sexually assaulted.

Where consent does not exist (lack of agreement): a person can express a lack of agreement verbally or through conduct (such as physically resisting advances). The Criminal Code makes it clear that a person can, after initially giving consent to engage in sex, revoke consent at any time by expressing a lack of agreement to continue engaging in sexual activity.

In other words, consent:

- Is never assumed or implied
- Is not silence or the absence of “no”
- Cannot be given if the victim is impaired by alcohol or drugs, or is unconscious
- Can never be obtained through threats or coercion
- Can be revoked at any time
- Cannot be obtained if the perpetrator abuses a position of trust, power or authority

It is not for the institution to weigh or determine whether or not consent has been given. This purpose of the policy is not to examine or investigate sexual assault allegations, but rather to inform all members of the college community of their responsibility to eliminate harassment and inform victims of their rights.

For more information on consent, please refer to: <http://www.gov.mb.ca/youarenotalone/consent.html>

4. Policy Objectives

- a. Our Academy is committed to providing members of our career college community an educational environment free from sexual violence and sexual harassment and treating those individuals who report incidents of sexual violence or sexual harassment with dignity and respect.

The Academy recognizes the sensitive nature of sexual harassment of any form and wishes to assure all members of our community are aware that we wish to approach any such sharing of information with compassion and understanding. We do however; wish to make all members of the community aware that depending upon the wishes of the victim the Academy may be limited in its ability to perform any form of investigation to determine the validity of a complaint. It is the Academy's intent to provide a support of role and assist the individual by way of the following:

- Educating all members of our community on sexual harassment and prevention.
- Listening to complaints/disclosures and responding in a sensitive and understanding manner;
- Providing information to the student about the institution's response procedure;
- Offering information or making referrals to support service providers with experience addressing sexual assault and trauma; and
- Providing the individual with reasonable accommodation while on campus.

To meet the needs of the victim the Academy wishes to make the student aware of their options to assure that their needs are being addressed:

- Bring the matter to the attention of Academy staff person through sharing of their experience or concern. Such staff persons may be Academy councillors, instructors or appointed individuals. Please note that the Academy's ability to take any formal action will be limited in such incidents.
- Raise a formal complaint where the student wishes some form of action be taking to alter their learning environment or involve the Academy in possible discussion with the individual on their behalf.
- Initiate a more formal written complaint which may involve investigation by an external body or legal action.

Training

Northwest Academy will educate and train faculty, staff and students about this Policy and how to identify situations that involve, or could progress into sexual violence or sexual harassment and how to reduce these forms of prohibited behaviors. The training will be annually held and items covered will be:

- What is sexual violence and harassment & What is consent
- How to report an incident and who in the College will be responsible to follow up.
- Education on the subject of sexual violence including awareness of how social media can potentially be involved.

The Academy will assure that senior staff and those individuals responsible for the investigation and handling of any concerns raised by the student will have participated in the MACC Training program provided by Klinik on an annual basis.

Faculty and staff will undergo internal training provided by the Academy with focus on awareness, monitoring and prevention of sexual harassment.

The Academy will educate individuals not normally a part of the Academy community by providing them with the policy. This may include individuals who may interact with the students periodically such as external contractors and service providers.

Student Awareness

Northwest Academy assures the student body is aware of the policies and procedures regarding sexual harassment through the following:

- The Policy is presented to the students as a part of their Student Handbook.
 - There are posters distributed throughout the facility making students aware of appropriate and inappropriate sexual conduct.
 - Students will be provided with pamphlets generated through Klinik on Sexual Harassment and prevention.
 - The policy is discussed twice per year with students in the program through a group presentation.
 - The Academy may provide periodic tweets circulated to the students through the Academy Media, where applicable.
 - The Academy will assure that all students have access to the policy by assuring it is posted to the Academy Website.
- b. Where a complaint has been made, under this Policy, of sexual violence or sexual harassment Northwest Academy will take the following actions where applicable:
- Immediately provide the information of available resources (appendix 1)
 - providing those who have experienced sexual violence or sexual harassment with information about reporting options; and Seek clarification on what the individual would like to do next: inform, report or seek law enforcement.
 - responding promptly to any complaint and providing reasonable updates to the complainant and the respondent about the status of the investigation;
 - assisting those who have experienced sexual violence or sexual harassment in obtaining counselling and medical care;
 - providing those who have experienced sexual violence or sexual harassment with appropriate academic and other accommodation;
 - providing on-campus investigation procedures for sexual violence and sexual harassment complaints.

c. Reporting and Responding to Sexual Violence

All members of Northwest Academy will take all reasonable steps to prevent sexual violence on our property or associated events and report immediately to the identified Person responsible- Dean of Admissions, Dean of Students or the CEO if they are subject to, witness or have knowledge of sexual violence, or have reason to believe that sexual violence has occurred or may occur.

To the extent it is possible, the Dean of Admissions, Dean of Students or CEO will attempt to keep all information disclosed confidential except in those circumstances it believes an individual is at imminent risk of self-harm, or of harming another, or there are reasonable grounds to believe that others in our career community are at risk.

Northwest Academy recognizes the right of the complainant to determine whether her or his complaint will be dealt with by the police and/or Academy management. However, in certain circumstances, the Academy may be required by law or its internal policies to initiate an internal investigation and/or inform police without the complainant's consent, if it believes the safety of members of its Academy community is at risk.

Investigating Reports of Sexual Harassment

If a member of the Northwest Academy community believes she/he has been sexually harassed by a member of our Northwest Academy community, she/he may confront the harasser personally or in writing pointing out the unwelcome behavior and requesting that it stop; or

Report the complaint to the Designated Officer- Dean of Admissions, the Dean of Students or CEO in writing if in person fill out attached (Appendix 2).

Upon a complaint of alleged sexual harassment being made to the Designated Officer- Dean of Admissions, Dean of Students or CEO, management will initiate an investigation, including as follows:

- Meeting with the complainant to determine the date and time of the incident, the persons involved, the names of any person who witnessed the incident and a complete description of what occurred;
- Interviewing the complainant, any person involved in the incident and any identified witnesses;
- Interviewing any other person who may have knowledge of incidents related to the complaint or any other similar incidents;
- Informing the respondent of the complaint, providing details of the allegations and giving the individual an opportunity to respond to those allegations;

- Providing reasonable updates to the complainant and the respondent about the status of the investigation; and
- Determining what disciplinary action, if any, should be taken.

Disciplinary Measures

If it is determined by Northwest Academy that a member of our community has been involved in sexual violence or sexual harassment of a member of our community, immediate disciplinary or corrective action will be taken up to and including termination of employment or expulsion of a student.

In cases where criminal proceedings are initiated, the Academy will assist police agencies, lawyers, insurance companies, and courts to the fullest extent.

Where criminal and/or civil proceedings are commenced in respect of allegations of sexual violence or sexual harassment, the Academy may conduct its own independent investigation and make its own determination in accordance with its own policies and procedures.

Making False Statements

It is a violation of this Policy for anyone to knowingly make a false complaint of sexual violence or sexual harassment or to provide false information about a complaint. Individuals who violate this Policy are subject to disciplinary and / or corrective action, up to and including termination of employment or expulsion.

Reprisal

It is a violation of this Policy to retaliate or threaten to retaliate against a complainant, acting in good faith, which has brought forward a complaint of sexual violence or sexual harassment, provided information related to a complaint, or otherwise been involved in the complaint investigation process.

Public Reporting

- d. The Academy will make the student body and public aware of its compliance with policy by stating on its website and in printed matter the following:
 - i. List of personal responsible for investigating any complaints of sexual misconduct or harassment, including contact information.
 - ii. Stating the dates of training sessions for staff and faculty of the Academy.
 - iii. State the dates of student group meeting sessions where this policy is discussed.

5. Policy Development and Review

- a. The policy was generated by a committee formulated by the Manitoba Association of Career Colleges with input from member colleges.
- b. The Policy was circulated to students of the Member Schools by way of a survey seeking input and comments from the widest possible student base assuring students have the opportunity to provide input and guidance from all communities and gender populations.
- c. Northwest Law Enforcement Academy reviewed and adapted the policy through the following process:
- d. The Policy will was implemented on Oct 4th 2017 and will be reviewed no later than Oct 4th 2018.

6. Attachments

- a. Appendix 1 – Resources
- b. Appendix 2 – Harassment Reporting Form.

Appendix 1- Resources

Canadian Association of Sexual Assault Centres

Rape Crisis Centres and Transition Houses

Manitoba

Brandon

YWCA-Westman Women Shelter 24 hour crisis 1-877-977-0007 Phone: 204-727-3644

ywcawws@westman.wave.ca

www.ywcabrandon.com

Dauphin

Parkland Crisis Centre 24 hour crisis 1-877-977-0007 Phone: (204) 638-9484

pkndcris@mymts.net

www.mts.net/~pkndcris

Flin Flon

Women's Safe Haven Resource Centre CRISIS (204) 681-3105

www.womensresource.ca

Thompson

Thompson Crisis Centre CRISIS (204) 778-7273 Toll Free: 1-800-442-0613

<http://www.thompsoncrisiscentre.org>

Winnipeg

Klinik / Sexual Assault Crisis Program 24 hour crisis: (204) 786-8631 Toll Free:1-888-292-7565

sacp@klinik.mb.ca

www.klinik.mb.ca

Canadian Association of Sexual Assault Centres

Womens Centres

The Womens Resource Centre

The Women's Resource Centre
731 Princess Avenue
Brandon, MB R7A 0P4

Hours of Operation

Monday 10:00am-4:30pm

Tuesday 10:00am-4:30pm

Wednesday 10:00am-4:30pm

Thursday CLOSED

Friday 10:00am-3:00pm

Phone: 204-726-8632

Toll-Free: 1-866-255-4432

Fax: 204-727-6230

reception@thewomenscentrebrandon.com

www.thewomenscentrebrandon.com

<https://www.facebook.com/TWRCBrandon>

Shelter Safe

Agape House* 1 877 977 0007 / 204 346 0028

agapehouse.ca

Alpha House* 204-982-2011

www.alphahouseproject.ca

Aurora House* 204-623-5497

www.aurorahouse-sharethecare.com

Bravestone Centre* 204-275-2600

bravestonecentre.ca/

Fisher River First Nation Healing Centre 204-645-2750 / 1-800-692-6270

Genesis House*

1-877-977-0007 or 204- 325-9800

genesishouseshelter.ca

Ikwe Widdjiitiwin * 1-800-362-3344

www.ikwe.ca

Mamewehetowin Crisis Centre 204-553-2198

My Sister's House*

204-623-5497

www.aurorahouse-sharethecare.com

Nova House* 1-877-977-0007 / 204-482-1200

novahouse.ca

Parkland Crisis Centre* 1-877-977-0007

parklandcrisiscentre.ca/

Portage Family Abuse Prevention Centre 1-877-977-0007 / 204-239-5233

www.abuseprevention.ca

Rainbow Resource Centre 1-855-437-8523 / 204-474-0212

170 Scott St.

www.rainbowresourcecentre.org/

Thompson Crisis Centre* 1-800-442-0613 / 204-778-7273

www.thompsoncrisiscentre.org/

Wechenin Waskigan Community Healing Centre 204-565-2548

Willow Place, Inc. 204-615-0311

www.willowplaceshelter.ca

Women's Safe Haven 1-877-977-0007 or 204-681-3105

www.womensresource.ca

YWCA Westman Women's Shelter 204-727-3644 or 1-877-977-0007

www.ywcabrandon.com

Sexual Assault / Domestic Violence Treatment Centres

Local

Knowles Centre

Mailing Address: Knowles Centre
2065 Henderson Highway
Winnipeg, Manitoba, Canada
R2G 1P7

Telephone: (204) 339-1951

Fax: (204) 334-4173

Email: info@knowlescentre.org

General Inquiries
info@knowlescentre.org

Treatment Foster Care Program
tfc@knowlescentre.org

Group Care Treatment Program
groupcare@knowlescentre.org

Sexual Abuse Treatment Program
satp@knowlescentre.org

Day Treatment Program
daytreatment@knowlescentre.ca

Biimautaziwin Aboriginal Cultural Program
tfontaine@knowlescentre.org

SAIL Program (Supported Advancement Recreation Program
to Community Living)
sail@knowlescentre.ca

groupcare@knowlescentre.org

Klinic Community Health

Sexual Assault Crisis Counselling

For immediate crisis intervention, call:

Sexual Assault Crisis Line (24/7)

In Winnipeg: (204) 786-8631

Toll Free in Manitoba: 1-888-292-7565

TTY: (204) 784-4097

For in person counselling, call Sexual Assault Intake: (204) 784-4049

To talk to someone in person you can go to:

870 Portage Avenue

Monday-Thursday: 8:30 am-8:00 pm

Friday: 8:30 am-5:00 pm and Saturday: 10:00 am-4:00 pm

545 Broadway Avenue

Mondays & Wednesdays: Noon – 7:00 pm

Tuesdays, Fridays & Saturdays: Noon – 4:00 pm

Or Drop-in Transcona/River East/Elmwood Access Transcona

845 Regent Avenue West

One block west of Plesis Road

Tuesdays: Noon – 7:00 pm

<http://klinic.mb.ca/in-person-counselling/klinic-drop-in-counselling/>

Resource & Links

If you or someone you know is being abused, call the Manitoba Association of Women's Shelter's confidential provincial toll-free crisis line at: 1-877-977-0007.

Crisis lines

Manitoba Suicide Prevention & Support Line (24/7)

Toll free: 1-877-435-7170 / TTY: (204) 784-4097 / www.reasonstolive.ca

Klinic Crisis Line (24/7)

Phone: (204) 786-8686 / Toll free: 1-888-322-3019 / TTY: (204) 784-4097

Sexual Assault Crisis Line (24/7)

Phone: (204) 786-8631 / Toll free: 1-888-292-7565 / TTY: (204) 784-4097

More crisis support information at <http://klinic.mb.ca/crisis-support>

Marymound

Finding the good..

Marymound would be happy to provide information on all its programs and services. Call us during business hours:
Monday to Friday 8:30 – 4:30 p.m.

WINNIPEG

Main Campus

442 Scotia Street, Winnipeg, MB R2V 1X4

(204) 338-7971

info@marymound.com

THOMPSON

Receiving Home

116 Hemlock Crescent, Thompson, MB R8N 0R6

(204) 778-5116

mmnorth@marymound.com

Futures

125 Commercial Place, Thompson, MB R8N 1T1

(204) 677-7820

futures@marymound.com

New Directions

For Children, Youth, Adults and Families

Contact Us:

New Directions

500-717 Portage Ave.

Winnipeg Manitoba R3G 0M8

Phone: 204-786-7051

Fax: 204-774-6468

Community Resources

Kids Help Phone

1800-668-6868

<http://www.kidshelpphone.ca/>

Child and Family All Nations Coordinated Response Network (ANCR)

Child and Family Services

835 Portage Ave., Wpg, MB R3B 2W9

(204) 944-4100

Child Protection Centre

787-2811 or 787-2040 (intake)

685 William Ave. childprotection@hsc.mb.ca

<http://www.hsc.mb.ca/placecard16.htm>

Wpg Police Service Child Abuse Unit –986-6378

Wpg Police Service Victim Services 986-6350

http://www.winnipeg.ca/police/Units_and_Divisions/vss/vss_default.aspx

Marymound – Sexual Abuse Treatment Program

944-7400

442 Scotia St. Wpg. MB

<http://www.marymound.com/wp/programs-services/clinical-therapeutic-services/sexual-abuse-treatment-program>

Knowles Centre – Sexual Abuse Treatment Program

339-1951 ext. 151

2065 Henderson Hwy. Wpg. MB

satp@knowlescentre.ca

http://www.knowlescentre.ca/index.php?option=com_content&task=view&id=22&Itemid=30#q12

Cybertip

<http://www.cybertip.ca/app/en/>

Kids in the Know

<http://www.kidsintheknow.ca/app/en/>

Aurora Family Therapy Centre

782-9251

515 Portage Ave., Wpg. MB

<http://aurora.uwinnipeg.ca/>

Family Centre of Winnipeg

947-1401

401-393 Portage Avenue, Portage Place, Winnipeg, MB R3B 3H6

staff@familycentre.mb.ca

Klinic Community Health Centre

784-4090

870 Portage Avenue, Winnipeg, MB R3G 0P1

<http://www.klinic.mb.ca/>

Aulneau Renewal Centre 987-7090

601 Aulneau, Wpg. MB

<http://aulneau.com/>

MaMa Wi

Administrative Site: 94 McGregor St, Winnipeg, MB R2W 4V5

Tel: (204) 925-0300

Fax: (204) 946-5042

<http://www.mamawi.com/>

Macdonald Youth Services – Youth Emergency Crisis Stabilization System

949-4777 or toll free at 1-888-383-2776

<http://www.mys.mb.ca/programs-yecss.php>

MB Adolescent Treatment Centre [MATC]- Centralized Intake

958-9660

848 William Avenue, Winnipeg, Manitoba R3E 0Z6

<http://www.matc.ca/locations.htm>

MB Child Victim Support Services

1-866-484-2846

<http://www.gov.mb.ca/justice/victims/services/cvss.html>

Criminal Code of Canada sections relating to Child Sexual Abuse posted February 2010

<http://laws.justice.gc.ca/eng/C-46/20100202/page->

[0.html?rp2=HOME&rp3=SI&rp1=sexual%20interference&rp4=exact&rp9=cs&rp10=L&rp13=50#idhit1](http://laws.justice.gc.ca/eng/C-46/20100202/page-0.html?rp2=HOME&rp3=SI&rp1=sexual%20interference&rp4=exact&rp9=cs&rp10=L&rp13=50#idhit1)

SEXUAL VIOLENCE/HARASSMENT COMPLAINT REPORT FORM

1. COMPLAINANT INFORMATION

Name:	
Class:	Student Number:
Date and Time Incident Occurred:	

2. COMPLAINT REPORTED TO

Name:
Position:
Date and Time Reported:

3. RESPONDENT INFORMATION

PLEASE FILL OUT ONE FORM PER RESPONDANT

Name:
Position or Class/Student Number:

4. COMPLAINT INFORMATION

Date and Time of Incident:
Place of Incident Occurrence:

5. WITNESS INFORMATION

Name:	Relationship to Complainant:	What information is the Witness able to provide?

6. COMPLAINT PARTICULARS

- Chronology of incident – when, who, where, what and how. Provide relevant and sufficient detail for each incident. E.G.: what happened, what was said and/or done, when it happened, was it a single event or is it ongoing, who was involved, who has knowledge of the incident.

*****Note: A respondent has the right to receive information regarding the complaint in order to be able to provide a response. The relevant particulars of the complaint will be shared with the respondent.**

DETAILS OF INCIDENT. PLEASE USE A SEPARATE FORM FOR EACH INCIDENT.

7. STEPS TAKEN TO DATE

Have you spoken with the respondent in regards to your concerns/complaint?

YES

NO

If yes what did you say?

What other action/s have you taken related to this complaint? E.G. filed a formal complaint with WPS, contacted Klinik or other, sought medical attention?

8. COURSE OF ACTION

The following options have been explained to me. I understand I may choose to:

- Speak to the respondent myself or with a designated person in authority**
- Have a designated person in authority speak to the respondent**
- File a report for information purposes only at this point (if applicable)**
- Seek counselling from an outside agency i.e.) Klinik**
- Report the incident to police**

I have been provided with contact information for support services and police

9. CHOSEN ACTION

I have chosen the following course of action:

10. DESIRED RESULT

By choosing the above action/s I hope to achieve the following:

Complainant Signature

Date

Complaint Received by

Date