

GLOSSARY*

Accommodation

The provision by the university of academic, workplace, or other measures that are provided to a member of the university community impacted by sexual violence or misconduct and are designed to meet that person's demonstrated needs resulting from an incident of sexual violence or misconduct.

Acquaintance sexual assault

Acquaintance sexual assault is sexual assault perpetrated by someone known to the survivor.

Coercion

Coercion occurs when someone behaves in ways that a reasonable person ought to know would make another person agree to do something that they otherwise would not choose to do. In the context of sexual violence, coercion is applied to elicit sexual behaviours.

Consent

Consent is agreement. Consent may be withdrawn at any time and cannot be implied to be given regardless of whether it has been given for a sexual act that may lead to another which may not be consented to, or whether it has been given for similar acts in the past.

The *Criminal Code of Canada* defines consent as "the voluntary agreement of the complainant to engage in the sexual activity in question". The *Criminal Code of Canada* also specifies that consent is not given even if the survivor does not resist if force is applied or the threat or fear of force results to the survivor or to another person, where there is fraud or where the survivor submits to the exercise of authority inherent in the relationship to the perpetrator.

Cyber misogyny

West Coast LEAF (2014) defines cyber misogyny as "the diverse forms of gendered hatred, harassment, and abusive behaviour directed towards women and girls online" which include child sexual exploitation, cyberstalking, gender-based hate speech online, non-consensual sharing of intimate images among youth and revenge porn. (See *#CyberMisogyny: Using and strengthening Canadian legal responses to gendered hate and harassment online* June 2014, retrieved from <http://www.westcoastleaf.org/wp-content/uploads/2014/10/2014-REPORT-CyberMisogyny.pdf>).

Cyberstalking

Cyberstalking is also known as cyber harassment and like stalking, is a form of criminal harassment. Cyberstalking occurs when someone comes to fear for their safety or the safety of their family or others close to them because someone else has on more than one occasion engaged in behaviours that involve digital technology that a reasonable person ought to know would be unwelcome. Such behaviours may

include communications made via email, text, on social networking sites, in software applications, or on digital platforms.

Drug-facilitated sexual assault

Drug-facilitated sexual assault is sexual assault that is perpetrated with the use of alcohol or other drugs to compromise the survivor's ability to consent or to defend themselves.

Disclosure

Disclosure occurs when a survivor tells someone else about an incident of sexual violence. Disclosing an incident of sexual violence does not imply that the survivor wants to report the incident. Disclosures are normally confidential between friends, family members, or are shared with counsellors or other employees who might be able to assist or support the survivor. If there are reasonable grounds to believe that someone may be a danger to themselves or others, there is an obligation to report this concern to those who are in a position to act to mitigate such danger.

Indecent Exposure

Indecent exposure occurs when someone exposes parts of their body in ways that violate accepted moral standards. The *Criminal Code of Canada* prohibits indecent acts, but does not define these other than prohibiting sexualized exposure to young people less than 16 years of age.

Investigation

An information gathering and assessment process, in response to a report, used to determine the nature and circumstances of alleged wrongdoing and matters of credibility, and to make findings of fact and to determine whether a breach of this policy occurred. The investigation process may include, but is not limited to, witness interviews, collection and review of written statements, notes, logs, papers, digital and print records, and any other relevant material.

Outcome

An outcome is the recommended or required actions to be taken following an investigation of a report.

Reporting

Reporting refers to providing a formal statement about an incident of sexual violence to an individual or institution that has the authority to take action. A survivor may report an incident of sexual violence but decide that they do not wish to have any action taken. Individuals and institutions may be required to act, however if there are reasonable grounds to believe that someone may be a danger to themselves or others.

Sanction

A sanction is an outcome for the respondent, resulting from an investigation that finds someone responsible for violating policy.

Sexual Assault

Sexual assault is sexual contact without consent. Assault occurs when force is intentionally applied to another person, directly or indirectly, or when force is attempted or threatened by act or gesture and there are reasonable grounds that it may be carried out. Force need not be violent in nature, and thus may include any type of unwanted sexual act done by one person to another that violates the sexual integrity of the victim and involves a range of behaviours from any unwanted touching to penetration. Sexual assault may therefore occur when sexual contact makes another person feel uncomfortable, distressed, frightened, threatened, or that behaviour is carried out in circumstances in which the person has not freely agreed, consented to, or is incapable of giving consent. Sexual assault is an offence under the *Criminal Code of Canada*.

Sexual Exploitation

Sexual exploitation is defined by the *Criminal Code of Canada* as an offence that occurs if a person who has power over a young person or who is in a role in which the young person naturally trusts or is dependent upon them abuses their position by sexually abusing or counselling or inciting them to commit sexual acts. The Justice Institute of BC hosts an online Sexual Exploitation Toolkit (<http://host.jibc.ca/seytookit/what.htm>), which further describes sexual exploitation as “the sexual abuse of children and youth through the exchange of sex or sexual acts for drugs, food, shelter, protection, other basics of life, and/or money. Sexual exploitation includes involving children and youth in creating pornography and sexually explicit websites.” (retrieved January 10, 2017).

Sexual Harassment

Sexual harassment can include a course of unwanted remarks, behaviours, or communications of a sexually oriented nature and/or a course of unwanted remarks, behaviours or communications based on gender where the person responsible for the remarks, behaviours or communications knows or ought reasonably to know that these are unwelcome. Sexual harassment may consist of unwanted attention of a sexually oriented nature such as personal questions about one’s sex life, persistent requests for a “date”, or unwelcome remarks about someone’s hair, body shape, and the like. Sexual harassment may also consist of unwelcome remarks based on gender which are not of a sexual nature but which are demeaning such as derogatory gender based jokes or comments.

Sexual Misconduct

For the purposes of this policy, sexual misconduct is considered to share the same definition as the sexual violence (see below).

Sexual Violence

Sexual violence is 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 person’s consent. The *Sexual Violence and Misconduct Policy*

Act [RSBC 2016] specifies that sexual violence includes sexual assault, sexual exploitation, sexual harassment, stalking, indecent exposure, and voyeurism.

The *Act* also prohibits “the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video and with the intent to distress the person in the photograph or video”. This definition is expanded for this Policy to include making any recording that reveals a person’s sexual body parts or shows the person engaged in a sexual act without that person’s consent, or disclosing a recording that reveals a person’s sexual body parts or shows the person engaged in a sexual act if they have not consented to its disclosure, even if they had consented to the recording. While the *Act* refers to the intent to distress, this Policy does not require intent to distress recognizing that reckless behaviour may have extremely negative consequences for another.

While these terms provide some description, and recognizing the word *violence* shares its roots with the word *to violate*, the interpretation of sexual violence may include behaviours that violate or dishonour another in a sexual context.

Stalking/Criminal Harassment

Stalking (also called criminal harassment) occurs when someone comes to fear for their safety or the safety of their family or others close to them because someone else has on more than one occasion engaged in behaviours that a reasonable person ought to know would be unwelcome. Such behaviours may include, but are not limited to, surveillance, physical pursuit, oral, written or other non-verbal communications that the recipient does not want to receive, threats of any kind, or sending unsolicited gifts or objects. See also cyberstalking.

Survivor

A survivor is anyone who has experienced sexual violence. The word “victim” is sometimes used as well, however the word “survivor” is used in this Policy and associated documents in respect of the perspective that those who have experienced sexual violence are overcoming or have overcome the victimization they experienced. It is up to the person who has experienced sexual violence to decide which term they choose to describe themselves.

Voyeurism

Voyeurism is watching others without their knowledge while they are doing activities that are normally considered intimate or private, such as undressing or engaging in sex.

*Many of these definitions are based on those provided by the Ending Violence Association of BC in their May 2016 publication, *Campus Sexual Violence: Guidelines for a Comprehensive Response* and the March 2015 Colleges Ontario’s *Sexual Assault and Sexual Violence Policy and Protocol Template*. We are grateful for their work and permission to draw from it.