



## *Investigations Office Annual Report May 1 2019- April 30 2020*

The Investigations Office (“IO”) was created in 2017 under UBC Policy SC17: Sexual Assault and Other Sexual Misconduct, (“Policy SC17”) in response to the enactment of British Columbia’s *Sexual Violence and Misconduct Policy Act* and a commitment by the UBC Board of Governors. Our office investigates allegations of sexual misconduct and discrimination involving all staff, faculty and students of UBC, under Policy SC17 and UBC Policy SC7: Discrimination (“Policy SC7”). We are committed to conducting arm’s length and impartial investigations in accordance with the following principles:

- **Fairness:** Investigations are conducted in accordance with procedural fairness and due process to ensure a fair, unbiased process
- **Impartial:** We are a neutral office, committed to ensuring that everyone’s rights are respected. We do not advocate for complainants or respondents in sexual misconduct matters. Evidence in all investigations is assessed on a balance of probabilities
- **Trauma-Informed:** Our investigators use a trauma-informed approach, and they are experienced with conducting impartial investigations in law, policing, Indigenous practices, oversight and regulation, as well as human rights contexts



**2017: Creation of the office**

- Policy #131\* (now SC17) approved by the Board Of Governors
- Policy #131 implemented. Independent Investigations Office (IIO) created
- IIO begins investigations under Policy #131 & Policy #3\*\* (now SC7)
- Appointment of Director of Investigations (DOI)
- **100% files** assigned to external investigators

\*Policy #131( now SC17)- Sexual Assault and Other Sexual Misconduct  
\*\* Policy #3 ( now SC7)- Discrimination

**2018: Assessing needs**

- 2 Internal Investigators hired
- 2 Advisors hired
- Part-time Alternative Dispute (ADR) Specialist hired
- **70% files** assigned to external investigators



### **2019: Building capacity**

- Educator hired to replace vacant Advisor position
- Advisor transitioned to Investigator
- Additional Internal Investigator hired
- Full-time Alternative Dispute Resolution (ADR) Specialist hired
- Current DOI- Shelley Ball appointed in September
- **19% files** assigned to external investigators



### **2020: Present**

- Additional internal investigator hired
- Modification of office structure to two lines-Investigations & Education, Prevention & Reporting
- Modification of office name to Investigations Office (IO)
- ADR position vacant
- **April 2020- 4% files** assigned to external investigators
- As of April 30, 2020 the office is staffed with: a Senior Investigator, 2 Investigators, 1 Educator, 2 Admin support, 1 Reporting position, 1 Legal Researcher and 3 External Investigators

## **2019- 2020 Overview of the IO**

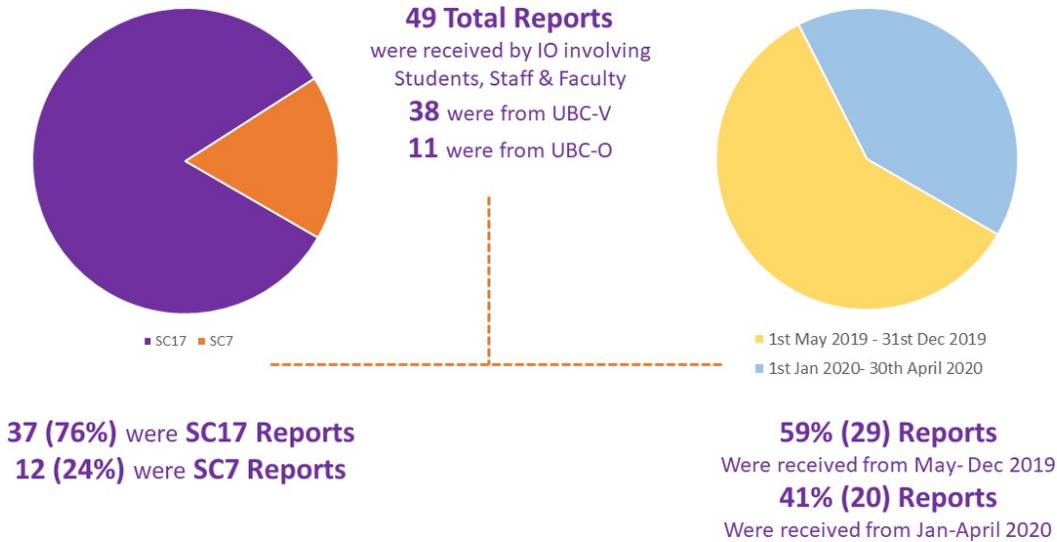
Our office operates under the leadership of the Director of Investigations (DOI) who provides direction and oversight to the Investigations and Education and Reporting Units. Our staff are all multi-disciplinary, with backgrounds in investigations, law, law enforcement, social work, human rights, Indigenous practices, human resources, mental health and medical-legal investigations, trauma-informed approaches and Alternative Resolution Processes (ARP). Our office structure continues to evolve to meet the growing needs for all UBC Community Members on both campuses. We are currently an office of nine internal staff:

- The Director of Investigations
- Senior Investigator
- Investigators (2)
- Educator
- Reporting support (temporary position)
- Administration staff (2)
- Part time Legal Researcher
- **Due to COVID-19, hiring is on hold for 2.5 full-time positions**

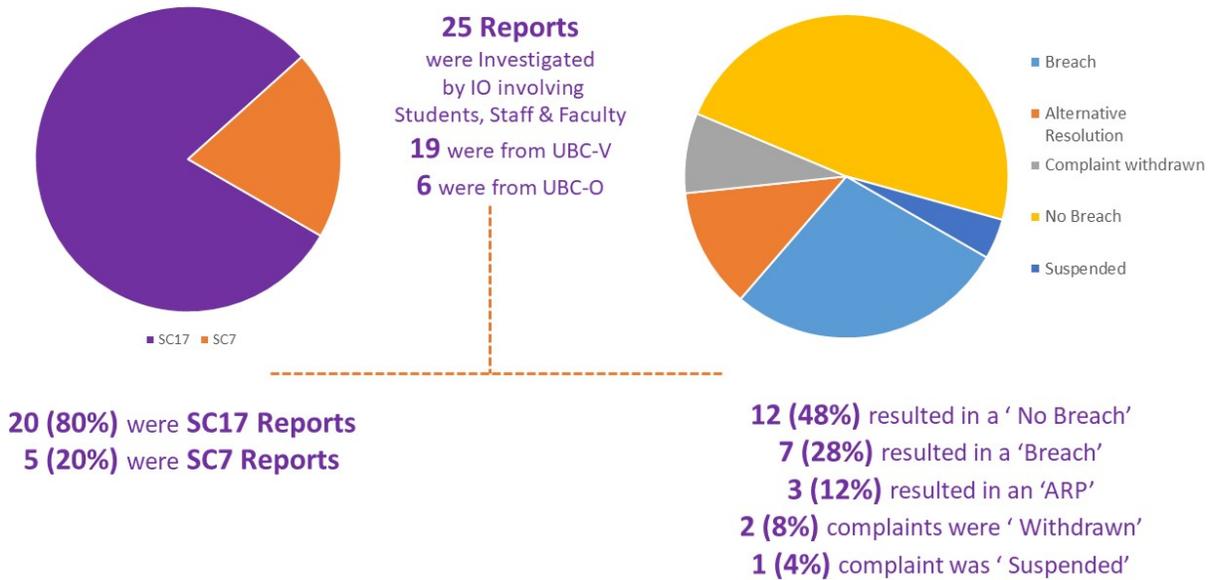
The Investigations Unit has broad and significant experience. A variety of options are required to be responsive to the needs of students, faculty, and staff, and as such, there are options to proceed with



## Reports received from May 1 2019 to April 30 2020



## Investigations completed from May 1 2019 to April 30 2020



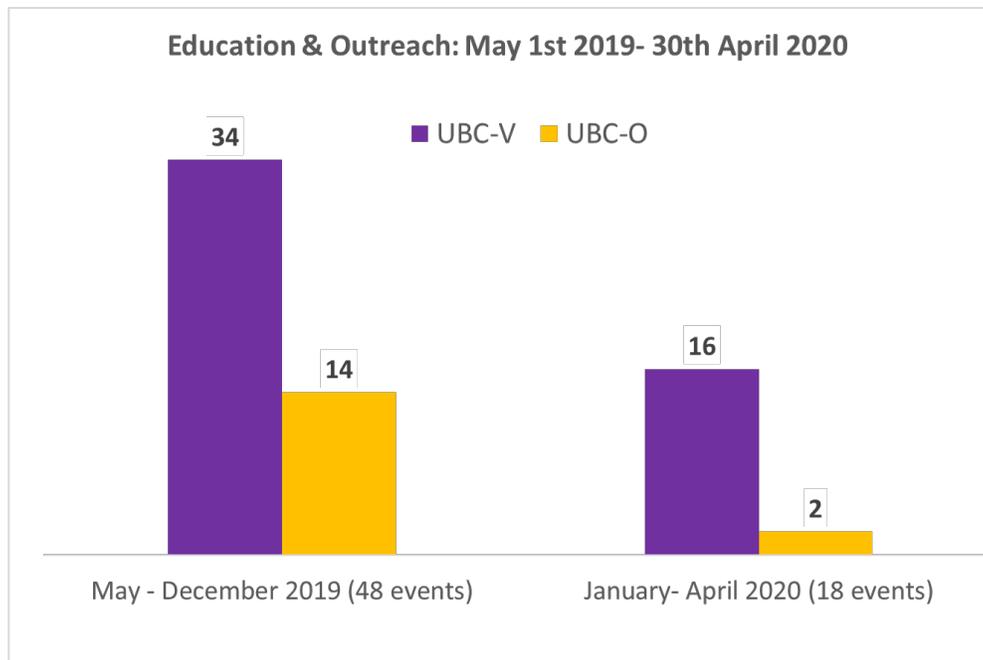
## *IO Highlights for 2019- 2020*

- Complainants were UBC students in over half of all sexual misconduct Reports
- Respondents were UBC students in over half of all sexual misconduct Reports
- Complainants and Respondents in most SC17 investigations had a pre-existing personal or professional relationship
- Approximately 75% of the sexual misconduct Reports came from students, staff and faculty at UBCV; 25% came from UBCO students, staff and faculty
- Investigators also made findings of misconduct under the Respectful Environment Statement in 1 case
- Investigators referred findings to the Conflict of Interest Committee in 2 cases
- Investigators interviewed more than 50 witnesses
- By enhancing internal investigations capacity, the IO saved a minimum of \$125/hour in the cost of investigations

## *Education and Reporting*

Education and Reporting is also a key focus of our office with the goal of increasing awareness of the office as the only office for reporting sexual misconduct. We engaged in educating the UBC community about trauma-informed approaches to investigations, ARP and also began to collect data on trends and patterns, to inform strategy and operations going forward. Sexual misconduct is significantly under-reported and accordingly, we expect an increase in the number of reports and investigations, to align with our increased education and outreach initiatives over the next 3 to 4 years, as we continue to build awareness and trust in the UBC community.

An IO Educator was hired in late 2019 to lead engagement and outreach activities at UBCV and UBCO campuses. From May 1, 2019 to April 30, 2020, we conducted **66** outreach and education events on both campuses. Due to the COVID-19 pandemic, the total outreach events were less for March and April 2020, however we are currently finalizing an online course about sexual misconduct, and trauma-informed investigation approaches for staff, students and faculty. Targeted completion date is Fall 2020.



Our office recognizes the importance of building trust among the UBC Community by conducting competent, timely and trauma-informed investigations and engaging UBC community members in education events and initiatives. Building collaborative relationships with student, staff and faculty stakeholders is a critical part of achieving this objective. In addition to conducting investigations under two policies, over the past year some of our key accomplishments were:

- The DOI participated in the three-year review of SC17 as a member of the Policy Review Committee
- Increased education and outreach efforts, ongoing revisions to our website
- Development of a reporting function to identify patterns and inform outreach initiatives
- Revision of the name of the office to 'Investigations Office' to more accurately reflect our relationship to UBC
- Increased internal investigations capacity by hiring two additional investigators
- Increased outreach and education capacity by hiring an IO Educator
- Updating our online form to report sexual misconduct so that it is automatically uploaded to the DOI's email inbox
- Revised the online form to report sexual misconduct to capture more meaningful information from complainants
- Created FAQs for complainants, respondents, ARPs and Jurisdiction to Investigate, and posted them on our website
- The DOI and IO staff presented about UBC's innovative response to responding to sexual misconduct at the International Academy of Law and Mental Health Congress, in Rome, Italy, in July 2019
- The DOI and IO staff delivered training and presentations to key stakeholders in Campus Security, Human Resources, the Faculty of Medicine, Faculty of Engineering, Deans and Associate Deans, and numerous other faculties and departments, in collaboration with SVPRO

- Developed education and communication plans for training to the broader UBC community on trauma-informed approaches to investigations and ARPs (in progress)
- Partnered with UBC Studios to develop a social media campaign
- Collected feedback from respondents about their experiences with the investigation process (in progress)
- Created a position description for a respondent services role at UBCV with input from SVPRO, Employee Relations, Faculty Relations, the Vice-President of Students, and the Vice-President of Human Resources
- Developed educational resources for online delivery due to COVID-19 (in progress)

## *Summary of 2019-2020*

- We developed in-house expertise by hiring investigators with experience in conducting trauma-informed investigations, and AR processes which reduced the dependency on external investigators and resulted in a significant reduction in external costs (approximately \$125/hour)
- Outreach and education events increased across both campuses with greater awareness of the Sexual Misconduct Policy and our office at the Academic leadership level
- Sexual misconduct complaints have steadily increased. This suggests an increase in trust in the UBC internal investigations process and a growing willingness of complainants to report alleged incidents. It also suggests a positive impact of the IO and SVPRO offices and the Board's commitment to SC17 overall. This trend in increased reporting is expected to continue in the next few years
- We mobilized to ensure continuity of service and pivoted to deliver education online in response to the COVID-19 pandemic

## *Looking ahead to 2020 -2021*

- Increased reporting of sexual misconduct incidents will enable the IO to gather more in-depth insights and will facilitate further customization of education and outreach initiatives
- The shift to an online format for courses due to COVID-19 is likely to result in more reports of incidents that occur in an online context
- The availability of AR processes for SC17 complaints (where appropriate) provides an option for those who want a process other than a formal investigation
- Creation of a service/support position for respondents will help to balance the university's response to sexual misconduct and engender trust from those who are named in a sexual misconduct matter
- Continued development of internal processes will enhance the consistency of the office operations and allow for increased statistical analysis to inform education initiatives across both campuses
- Providing training on trauma-informed approaches in investigations will advance knowledge and understanding across the UBC community
- Establishment of listening sessions in partnership with UBC School of Nursing (Fall 2020) will increase awareness of the sexual misconduct policy and provide an opportunity for feedback from UBC Students who are the largest population of the UBC community involved in sexual misconduct reporting and investigations