Ottawa Fringe Sexual Violence Prevention and Response

Prepared by Patrick Gauthier, Amanda Logan, and Brit Johnston With assistance from Michelle Doody, Greer Brabazon, and OCTEVAW Last Updated: June 14, 2021

CONTENT

- 1. Acknowledgments
- 2. Background
- 3. Sexual Harassment, Sexual Assault & Ottawa Fringe
- 4. Code of Conduct
- 5. Policy Scope
- 6. Definitions
- 7. Commitment to Survivors
- 8. Confidentiality
- 9. Prevention
- 10. Reporting and Response
- 11. Survivor Support
- 12. Documentation
- 13. Respectful Workplace Policy
- 14. Resources
- 15. Additional Services and Resources

1. Acknowledgments

Ottawa Fringe acknowledges Project SoundCheck™ and the Ottawa Coalition to End Violence Against Women (OCTEVAW) and GoodNight Out Vancouver (GNO) for their training and contribution in the creation of this Sexual Violence Preventon and Response policy.

Project SoundCheck™ is a sexual harassment and violence prevention initiative. It is a joint creation of the Sexual Assault Network and the Ottawa Coalition to End Violence Against Women. Their mission is to bring festivals, venues, and community together to challenge bystander apathy; provide resources and response training to staff and community; and offer safety audits of venue spaces to ensure a safer and more inclusive environment for all.

OCTEVAW works collaboratively with members and stakeholders in accordance with feminist, anti-oppressive, anti-racist, LGBTQ+ positive and pro-choice principles.

2. Background

Sexual harassment and assault can have long lasting physical, emotional, and social impacts on survivors. These impacts have significant reverberations throughout communities – and our own theatre and arts community is no different.

The Fringe is committed to providing artistic and creative space to explore new ideas, make bold and brave choices, and push boundaries without fear. This commitment comes with a responsibility to ensure the safest environment possible for this to occur. This includes improving and implementing safety protocols, processes, and response plans to prevent harm. And it includes strict adherence to effective action-oriented policies to support the safety of all involved.

This policy was created to increase accountability for and with our community.

We use the term "safer" throughout this document to describe our efforts to reduce and eliminate risk where we can. We continue to work towards ensuring the safest possible spaces for our patrons, artists, collaborators, friends, and survivors.

3. Sexual Harassment, Sexual Assault & Ottawa Fringe

Recognizing the pervasiveness of sexual harassment and violence, Ottawa Fringe has a role to play in helping to prevent sexual harassment and sexual assault during our events and festivals - the undercurrents and Fringe festivals - a responsibility we do not take lightly.

Ottawa Fringe's Board of Directors and staff are taking corrective steps towards ensuring the safety of our community. Trainings, along with the development of Ottawa's Fringe's Sexual Violence Prevention & Response strategy will ensure that employees will have the appropriate knowledge and skills to:

- Intervene when an act of sexual harassment or violence is occurring;
- Respond appropriately and sensitively when a patron, staff, volunteer or other contracted party has been harassed or assaulted; and to
- Support survivors should they wish to report incidents to staff or the Board, whether the incident is recent or is being reported retroactively

Ottawa Fringe Board and staff commit to lead by example to ensure a safer and welcoming environment for all, because we believe that every individual has the RIGHT to access the performing arts.

4. Code of Conduct

Ottawa Fringe currently has a Code of Conduct by which all staff, volunteers, artists and patrons are expected to adhere. It includes the following related to sexual harassment and violence.

Ottawa Fringe is committed to providing an environment free of discrimination, violence and harassment, where all individuals are treated with respect and dignity, can contribute fully and have equal opportunities.

Employees, Volunteers, Artists and Patrons can expect to be treated with respect, and themselves are expected to treat others with respect in the workplace and at all Ottawa Fringe activities.

Sexual harassment and/or violence will not be tolerated, condoned or ignored by the Ottawa Fringe Organization. All complaints under this policy will be dealt with in a timely, confidential and effective manner.

The Board of Directors and Staff advocate for the Ottawa performing arts community and we will support survivors. All reasonable steps will be taken by Ottawa Fringe employees to protect the survivor from retaliation for reporting harassment, violence or discrimination, or for cooperating with an internal investigation, reporting to police or any other justice or accountability process.

As a community we have a responsibility to stand together to protect one another and hold each other accountable. We value consent and encourage all our employees, volunteers, artists and patrons to work together to ensure Ottawa Fringe is a safer space for everyone at our events.

This Code of Conduct applies to all current employees of the Ottawa Fringe including all full and part-time, casual, contract, permanent and temporary employees. It also applies to all persons who attend Ottawa Fringe activities or spaces (including without limitation, offices, theatres, tents, outdoor, and online spaces). Without limitation, this policy will therefore apply to patrons, volunteers, artists and other third-party participants, independent contractors and members of the Board of Directors.

All staff, volunteers, artists, patrons and contractors will have an opportunity to review the Code of Conduct and ask questions of Ottawa Fringe representatives as needed.

By signing a contract or volunteer agreement with Ottawa Fringe, staff, volunteers, artists and contractors are agreeing to adhere to the Code of Conduct.

5. Policy Scope

This Policy applies to:

- i. all complaints of Sexual Harassment and Violence that involve incidents occurring at the festival;
- ii. all complaints of Sexual Harassment and Violence that involve staff, volunteers or artists while representing the festival, on or off-site;
- iii. disclosures made by a person at the festival about another person at the festival, regarding an alleged off-site incident

6. Definitions

- a. Consent
- b. Sexual Violence
- c. Sexual Harassment
- d. Sexual Assault
- e. Gender-based Violence and Harassment
- f. Stalking
- a. <u>Consent:</u> as defined by Canadian law [*Criminal Code* s. 273.1], consent is "the voluntary agreement ... to engage in the sexual activity in question."

Consent does not legally exist if:

- Sexual activity is agreed to by someone other than the persons directly involved:
- The person is incapable of consenting to the sexual activity (for example, because they are under the influence of alcohol or drugs);
- An abuse of power, authority, or trust is used to coerce the victim/survivor to engage in sexual activity; or
- One party expresses (through their words or their conduct) a lack of agreement to engage in the activity;
- The person, having consented to engage in sexual activity, expresses by words or conduct a lack of agreement to continue to engage in the activity.

According to s. 265(3), no consent is obtained where the person submits or does not resist because of:

- The application of force to the complainant or to someone other than the complainant;
- Threats or fear of the application of force to the complainant or someone other than the complainant;
- · Fraud; or
- · The exercise of authority.
- b. <u>Sexual Violence</u>: the concept of 'sexual violence' refers to a spectrum of nonconsensual sexual contact and behaviour. There are many different types of sexual violence, including sexual harassment, sexual assault, sexual exploitation, criminal harassment, indecent exposure, voyeurism, etc. Sexual violence can be perpetrated by anyone an acquaintance, a classmate, a teacher, a family member, a colleague, a friend, a dating partner, an intimate partner, or a stranger.
- c. <u>Sexual Harassment</u>: Sexual harassment refers to unwanted communications or actions that are sexual in nature, and are offensive, intimidating, or humiliating. It can take many forms, including verbal, written, or visual. Sexual harassment includes unwanted touching, offensive jokes, sexual requests, and verbal abuse. Sexual harassment is a type of sex discrimination, and falls under Human Rights Law (not the Criminal Code of Canada).

- d. <u>Sexual Assault</u> Sexual assault is any form of sexual contact that occurs without ongoing and freely given consent. Sexual assault includes any form of sexual contact where consent has not been given (e.g., non-consensual touching that is sexual in nature, forced vaginal or anal penetration). Sexual assault can be committed by an intimate partner, someone known to the victim/survivor (sometimes called "acquaintance rape" or "date rape"), or a stranger.
- e. <u>Gender-based Violence and Harassment</u> Gender-based violence and harassment is violence that is inflicted upon a person or persons due to their gender identity, gender expression, or perceived gender. Gender-based violence is perpetuated by accepted social practices such as sexist jokes or demeaning representations of women and racialized women and heteronormative expectations of children.
- f. <u>Stalking</u> Criminal harassment, which is the legal term for stalking, is obsessive, controlling behavior directed towards another person. The behaviour might be directed at you or at your family, friends or pets. As stated in section 264(1) of the *Criminal Code* this includes:
 - Repeatedly following someone from place to place;
 - Repeatedly communicating, directly or indirectly, with someone;
 - Watching someone's home, place or work or somewhere what they are known to be:
 - Engaging in threatening conduct directed at the other person or a member of their family.

Definitions from: Ending Violence BC & the Ottawa Coalition to End Violence Against Women

7. Commitment to Survivors

Complainants/victims/survivors will:

- be believed;
- be treated with dignity and respect;
- be informed about resources at our event and beyond;
- have access to support in a sanctuary / harm reduction space;
- decide whether or not to report to police, without undue pressure. Fringe will never make a report on someone's behalf without consent;
- be informed of next steps;
- have the opportunity to co-create a safety plan;
- not be expected or pressured into confronting the alleged perpetrator; and
- have reasonable and necessary actions taken to prevent further unwanted contact with the alleged perpetrator(s).

8. Confidentiality

Ottawa Fringe will endeavor to maintain as confidential all information received or generated in relation to the disclosure or reporting of Sexual Violence. Ottawa Fringe will limit disclosure of information about individuals to those representatives who have a need to know the information to carry out their responsibilities and to assist Ottawa Fringe in fulfilling its legal obligations and commitments under this policy. Ottawa Fringe will not comment publicly on incident reports unless explicitly directed to do so by the survivor. Under the following circumstances however, Ottawa Fringe may not be able to maintain complete confidentiality:

- A. where an individual is at risk of self-harm;
- B. where an individual is at risk of harming an identified individual;
- C. where members of the Ottawa Fringe community or the broader community may be at risk of harm;
- D. reporting is required by law (e.g. in the case of a minor).
- E. Occupational Health and Safety legislation, human rights legislation, and where the Ottawa Fringe may be required to take steps to address actual or possible civil law, criminal law or disciplinary aspects to an incident of Sexual Violence.

9. Prevention

Ottawa Fringe will take the following steps to create a safer environment at our festivals and events:

I. PRE-FESTIVAL

- All festival staff, volunteers, and artists will participate in mandatory Bystander Intervention training every year;
- Bystander intervention workshops will be offered for patrons;
- Fringe will create a Response & Prevention Team with specialized training;
- Fringe will create a print media campaign about bystander intervention, displayed prominently on the festival site; as well as a social Media Campaign addressing the Sexual Violence Policy, with links to resources:
- Placement of direct links to our policies on the front page of our website;
- All staff, artists, and volunteers will read and sign code of conduct;
- The code of conduct will be sent to patrons who purchase advance tickets online or in-person, and will be available at our Box Office.

II. DURING FESTIVAL

- Response & Prevention Team will be on-site for all Fringe events and festivals
- Safety messaging will be prominently displayed on-site eg. posters in bathrooms, business cards at all box offices and bars; Code of Conduct will be available in all gathering areas: social space, lineups, and box offices;

- Safety related services for patrons eg. "safe walks" to venues, checking in on people at agreed upon times and places, and responding to support calls to all areas on the site.
- Providing a dedicated sanctuary / harm reduction space with easy access to the Response Team, for survivors.
- Once the Response Team receives a report, the survivor will be settled and provided with comfort measures where discussion can proceed in a confidential manner.

10. Reporting and Response

Response Team

Ottawa Fringe, with assistance from Ottawa Coalition To End Violence Against Women (OCTEVAW), have created a dedicated Response Team. Members of the team will be on-site at all Ottawa Fringe events and festivals. The team has received specialized training in handling disclosures, and consists of all genders, when possible, to ensure survivors can choose who they feel most comfortable reporting an incident to.

The Response Team is made up of: Amanda Logan (Team Lead) & Patrick Gauthier.

You can contact the Response Team confidentially here: response@ottawafringe.com

Should you wish to report anonymously, we have created a form on our website, which can be accessed here.

Please note that all reports and disclosures will be treated as confidential, as outlined in section 8 of this policy. Anonymous disclosures or disclosures made on behalf of someone else, while welcome, may impact the Response Team's ability to follow up.

Support and Initial Assessment

- Once a disclosure of sexual harassment and/or violence received by the Ottawa
 Fringe Response Team, the person disclosing will be settled in a place with comfort measures, where discussion can proceed in a confidential manner.
- The Response Team will clarify which person(s) the survivor would like to be present and will provide support to assist in the response strategy. If a support person is present, they can be encouraged to take notes as the survivor may not later recall the full discussion.
- Responders, along with the survivor, will determine if they are disclosing / reporting an on-site or off-site assault.
- The survivor will be alerted to local services and resources; they may assist to contact, as needed. The Response Team will ensure that the victim/survivor is made aware of CALACS francophone d'Ottawa (CALACS), the Sexual Assault Support Centre of Ottawa (SASC), the Ottawa Rape Crisis Centre (ORCC) and Ottawa Victim Services (OVS). They can provide not only emotional support, but also system navigation and advocacy, as well as support to help determine if the survivor wishes to report to police, go to the Ottawa Hospital's Sexual Assault and Partner Abuse

Care Program (Civic Hospital), etc. These more in-depth support services are not 24/7, although there are 24/7 distress lines.

- Retroactive reports will follow the same process as recent incidents.

Sexual Violence On-Site

- Arts Court or University of Ottawa campus security may be contacted and involved to respond as per their protocol to identify the perpetrator, assess the risk to other patrons and determine the appropriate response.
- Survivor to be notified of the response and, to the extent that it is realistic, the wishes of the survivor will be included when coordinating the response.
- If relevant, survivor to be reminded not to swim, shower or change until they decide how they wish to proceed.
- The survivor will be alerted to local services and resources; they may assist to contact, as needed.

Sexual Violence Off-Site

The Response Team is prepared to be the first point of contact for people wishing to disclose an off-site incident - keeping in mind that the alleged perpetrator of an off-site assault may be on-site at the event or festival. For the purposes of this policy, "off-site" refers to physical or online spaces that are not managed or maintained by Ottawa Fringe.

Complaints made to on-site staff may require a coordinated response between the survivor and security, with support from the Ottawa Fringe Response Team. Incidents taking place at Arts Court may involve coordination with Commissionaires; incidents on University of Ottawa property may involve campus Protection.

A. <u>Incident Report where victim/survivor wishes to file a report with the police:</u>

- Security to call non-emergency police (unless there is immediate risk to other patrons)
- The safety and well-being of guests are to be managed but no interviews or further statements are to be taken by festival staff before police take statements as part of their investigation on site.
- Harm Reduction / First Aid or appropriate support to stay with survivor as requested in appropriate location on site where comfort and confidentiality can be maintained.
- Response Team Lead to work with police, harm reduction / first aid to coordinate survivor transport to the hospital as needed.

B. <u>In situations where a victim/survivor does not want police involvement:</u>

- Survivors should note that Commissionaires are required to report to police all incidents of which they are made aware; Campus Protection has no such mandatory reporting
- Responders to investigate the incident and make a recommendation to
 Ottawa Fringe management as to whether an alleged perpetrator should be
 asked to leave the festival.

- Ottawa Fringe reserves the right to remove anyone on site for violating the Code of Conduct.

C. Actions Taken by Ottawa Fringe:

Response Team member will work as lead contact for the report. Options for response will prioritize safety for all and may include:

- Assigning security extra watch on the alleged perpetrator to ensure they are not currently a risk or causing harm to anyone else
- Removing the alleged perpetrator from the festival site
- Allowing the survivor to verbalize what they see as an "ideal outcome" and reconciling that with what is realistic and possible onsite
- Giving the survivor access to any / all the supports in the next section

11. Survivor Support

- The Ottawa Fringe Response Team will offer the survivor comfort measures and support as needed, this includes when speaking with security and police when the situation dictates.
- Access to a fully private area within the sanctuary space where they can name people they do not want in the space.
- Support to walk through triggers and be offered grounding techniques.
- Access to a phone to call Rape Crisis support line or any other support line.
- Emailed PDF of support resource options for when they return home.
- Access to the response team any time by coming to the sanctuary space.
- Creation of a safety plan for the remainder of time at the event or festival.
- Response Team will follow up with the survivor in the days following the report.

12. Documentation

Ottawa Fringe Incident Reporting Form

All reports of this nature recorded by Ottawa Fringe team members are to be protected and kept confidential. Any information including identities, accounts of interactions, and statements taken from survivors will be kept confidential and secured. There will be no sharing and dissemination of any information to anyone outside of management and assigned response personnel unless it is for any of the reasons indicated in Section 8.

13. Respectful Workplace Policy

Ottawa Fringe is committed to providing a safe and inclusive space for our festival's audiences, volunteers, artists, and staff. Our <u>Anti-Harassment, Anti-Violence, and Anti-Discrimination policy</u> can be found on our website and as an appendix to this document.

14. Resources

Resource	Name	Contact Information
Ottawa Fringe Incident Reporting Form		https://ottawafringe.wufoo.com/ forms/z1fvg74t0d1r6ig/
Response Team	Amanda Logan Response Team Lead	amanda@ottawafringe.com
	Patrick Gauthier Response Team	patrick@ottawafringe.com
First Aid Lead	Ted Forbes Technical Director	td@ottawafringe.com
Occupational Health and Safety Lead	Ted Forbes Technical Director	td@ottawafringe.com
	Kevin Waghorn, Managing Director	kevin@ottawafringe.com
Police Services	Sexual Assault and Child Abuse Section (SACA)	Office Hours:, Monday - Friday 7AM to 10PM and, weekends 8AM to 4PM. T.: 613-236-1222 x5944
	Report a non-emergency (outside of SACA hours)	613-236-1222 ext 7300 TTY: 613-760-8100
	Victim Crisis Unit (Not 24 hours; not for reporting a crime, but getting support)	(613)-236-1222 ext 2223
Medical services	Ottawa Hospital Sexual Assault and Partner Abuse Care Program (SAPACP)	24/7 Emergency Department - need to disclose sexual assault at the Emergency Triage and request the program.
	24-hour emergency services, 365 days a	Appointments can be booked at 613-798-5555 x 13770

	year, for the Greater Ottawa Area, located within the Emergency Department at The Ottawa Hospital, Civic Campus.	
Victim Services Bilingual (French and English)	Ottawa Victim Services * Accompaniment can also be arranged for survivors going to court, hospital, police, etc.	24 hour line: 613-238-2762
French Sexual Violence Support Services	Fem'aide Crisis Line Provincial francophone crisis line	24 hour line: 1(877) 336-2433 ATS 1(866) 860-7082
	* Accompaniment can also be arranged for survivors going to court, hospital, police, etc.	(613)-789-8096
Sexual Violence Support Services in English	Sexual Assault Support Centre of Ottawa (SASC) * Accompaniment can also be arranged for survivors going to court, hospital, police, etc.	24 hour line: (613) 234-2266 TTY (613) 725-1657 Evening Text and chat service 613-209-2272 6-10pm
	Ottawa Rape Crisis Centre * Accompaniment can also be arranged for survivors going to court, hospital, police, etc.	24 hour line: (613) 562-2333 TTY (613) 562-3860
Provincial Victim Services	Ontario Assaulted Women's Helpline	24 hour line: 1(866) 863-0511 ATS 1 866 860-7082.

	A " 200	
	Available in over 200 languages 24/7	
	Fem'aide Crisis Line Provincial francophone crisis line	24 hour line: 1(877) 336-2433 ATS 1(866) 860-7082
	The Support Services for Male Survivors of Sexual Abuse	24 hour line: 1-866-887-0015
	24-hour, multilingual, toll-free phone line for immediate crisis and referral services at 1-866-887-0015	
Seniors Support	Seniors Safety Line	24 hour line: 1-866-299-1011
2SLGBT2QIA+ Support	Trans Lifeline	1-877-330-6366
	MAX Ottawa, Peer Support	613-702-8429 peersupport@maxottawa.ca
	KIND space Ottawa	You can reach KIND space by text – it's free, no downloads, and you talk directly to the staff – 613-902-7537
	Youth Services Bureau	24/7 Crisis Line 613-260-2360
	LGBTTQQ2SI Youth Line Provincial resource	647-694-4275 Sunday to Friday, 4:00PM to 9:30 PM support via phone, text or chat
Indigenous Support Services	Minwaashin Lodge, Indigenous Women's Support Centre	(613) 741-5590
	Tungasuvvingat Inuit Center	613-565-5885 x201 mstevens@tiontario.ca

	<u> </u>	T
	Wabano Center Talk4Healing a culturally grounded, fully confidential helpline for Indigenous women available in 14 languages all across Ontario.	(613) 748-5999 Online in-take form Text, Phone, Chat 24/7 1 855 554 HEAL (4325)
	First Nations and Inuit Hope for Wellness Help Line 24/7	1-855-242-3310 Chat option on available on their website
Local Agencies for Immigrants & Newcomers	Immigrant Women Services Ottawa: Crisis Intervention And Counselling	613-729-3145 Email Requests: infomail@immigrantwomenservices.com
	Free 24-hour Language Interpretation Service Immigrant Women Services Ottawa	(613) 729-1393
Interpretation services for hard of hearing for deaf ASL (English to American Sign Language)	Canadian Hearing Services In cases of a sudden, unforeseen crisis that requires immediate attention: emergency services are offered 24 hours/day, 7 days/week, 365 days/year emergencies may occur in: hospital emergency rooms; after-hours medical clinics; crisis centres; shelters; Police services; court settings; and child welfare cases	To request Emergency Interpreting Services, please contact us CHS: Phone: 1-866-518-0000 E-mail: urgent@chs.ca SMS/Text: 416-712-6637 (charges may apply)

	Please note that Emergency Interpreting Services are based on availabilities and may not be available on-site in all communities	
Ottawa Local Sexual Health Clinic	Ottawa Public Health 179 Clarence St, Ottawa	613-234-4641

15. Additional Services and Resources

<u>Services</u>

KIND Space

Thrive: Education, Empowerment, & Continuing Care Program

"A trauma education program for 2SLGBTQ+ people focusing on building skills while offering support in a closed group environment led by a facilitator (or multiple facilitators) who can go through the exercises and have lived experience. A Kind Space program would specifically focus on experiences of gender and sexuality, and how they intersect with trauma."

Counselling Connect

Counselling Connect provides free access to a same-day or next-day phone or video counselling session. This service is for children, youth, adults and families in Ottawa and the surrounding area. There is no waiting list.

The Walk-In Counselling Clinic

The Walk-In Counselling Clinic offers confidential, single-session counselling services on a first come, first served basis. The clinic offers counselling services in English, French, Arabic, Spanish, Somali, Cantonese and Mandarin at a variety of different locations.

<u>Unsafe at Home Ottawa</u> 613-704-5535 - text and chat service for women and 2SLGBTIAQ+ survivors of partner violence in Ottawa available in English and French from 8:30am to 12am EST.

Resources

Survivor Toolkit

Peterborough Police Service in partnership with various partners, including the Kawartha Sexual Assault Centre, created this toolkit. "This video series and website has been developed for survivors of sexual violence and the people who are supporting them. When someone experiences sexual violence, it is never their fault.

No matter what the victim was wearing, what they said, and what actions they took, no one deserves to experience sexual violence and harassment. Survivors deserve compassion, support, and time to heal. We hope this video series and website resource helps to guide you through both community-based and legal options available to you. We are glad you have found us."

Sexual Assault Survivor Guide

Ottawa Police Service's Sexual Assault Survivor Guide includes Frequently Asked Questions for reporting an incident of sexual violence or harrassment to the Ottawa Police.

Self Care After Trauma

The US RAINN (Rape, Abuse & Incest National Network) "Self care is about taking steps to feel healthy and comfortable. Whether it happened recently or years ago, self care can help you cope with the short- and long-term effects of a trauma like sexual assault."

Following a Trauma

Some things to do that may help following a trauma, tips provided by the Ottawa Police Victim Crisis Unit.