

**Cotie, Kate L AVED:EX**

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**From:** Porter, Rodney GCPE:EX  
**Sent:** Tuesday, February 2, 2016 6:44 PM  
**To:** Brown, Susan B AVED:EX; Cotie, Kate L AVED:EX  
**Subject:** Fwd: CHAN: Friday/Panesar - BCIT voyeur

Rodney Porter  
Ministry of Advanced Education  
250 889-7494

Begin forwarded message:

**From:** <tno@gov.bc.ca>  
**Date:** February 2, 2016 at 6:33:05 PM PST  
**To:** Undisclosed recipients;;  
**Subject:** CHAN: Friday/Panesar - BCIT voyeur

CHAN (Global BC - Vancouver)  
Global BC News Hour  
02-Feb-2016 18:03

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***FINAL VERSION***

**Feb. 6, 2016**

**Statement re. Release of the Paula Butler Review Executive Summary** (*exec summary and statement to be posted on Equity website*)

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Page 03

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**Cotie, Kate L AVED:EX**

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**From:** Porter, Rodney GCPE:EX  
**Sent:** Sunday, February 14, 2016 9:05 PM  
**To:** Brown, Susan B AVED:EX; Avison, Claire AVED:EX; Lemmer, Nicola I AVED:EX; Loughran, Tony D AVED:EX; Carroll, Sandra AVED:EX; Burns, Susan G AVED:EX  
**Cc:** Meadows, Jennifer L AVED:EX  
**Subject:** Paula Butler statement  
**Attachments:** FINAL Statement re. Butler Report Exec Summary.docx; ATT00001.txt

Statement attached. An executive summary will also be available.

Timing is tomorrow morning during board meeting.

**Cotie, Kate L AVED:EX**

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**From:** de Jager, Adriaan <adriaan.dejager@ubc.ca>  
**Sent:** Monday, February 15, 2016 12:46 PM  
**To:** Brown, Susan B AVED:EX  
**Subject:** Full executive summary

<http://equity.ubc.ca/2016/02/15/statement-re-release-of-the-paula-butler-review-executive-summary>

Adriaan de Jager MScEcon  
Executive Director, Government & Corporate Relations  
The University of British Columbia  
Phone 604 822 3375 | Cell 604 828 5521 | Fax 604 822 8102  
6328 Memorial Road | Vancouver, BC Canada V6T 1Z2  
[adriaan.dejager@ubc.ca](mailto:adriaan.dejager@ubc.ca)  
[www.governmentrelations.ubc.ca](http://www.governmentrelations.ubc.ca) | [www.ubc.ca](http://www.ubc.ca)

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**Cotie, Kate L AVED:EX**

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**From:** Porter, Rodney GCPE:EX  
**Sent:** Monday, February 29, 2016 8:21 PM  
**To:** Chalmers, Jennifer AVED:EX; Bajwa, Raman AVED:EX  
**Cc:** Fougner, Trish GCPE:EX; Koolsbergen, Nick GCPE:EX; Carroll, Sandra AVED:EX; Gordon, Matt GCPE:EX; McAndrews, Caroline GCPE:EX; Avison, Claire AVED:EX; Brown, Susan B AVED:EX; Mihar, Fazil ENV:EX  
**Subject:** UVic web posting

Here's a link to an announcement that UVic just posted (it's in their campus announcement system for faculty, staff and students):

<http://www.uvic.ca/home/announcements/general/current/sexual-assault-charges-29feb2016.php>.

Text below:

Feb. 29, 2016  
8:00 PM

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**Cotie, Kate L AVED:EX**

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**From:** Porter, Rodney GCPE:EX  
**Sent:** Tuesday, March 15, 2016 4:52 PM  
**To:** Brown, Susan B AVED:EX; Loughran, Tony D AVED:EX; Lemmer, Nicola I AVED:EX; Avison, Claire AVED:EX; Carroll, Sandra AVED:EX  
**Cc:** Meadows, Jennifer L AVED:EX  
**Subject:** Fwd: CP News: University of Victoria silencing sexual assault victims, students say

I've asked UVic if they can share a u additional information but if we're asked our response would like be: not appropriate to common on specific claims of individual students and that UVic is best to respond.

Rodney Porter  
Ministry of Advanced Education  
250 889-7494

Begin forwarded message:

**From:** <[tno@gov.bc.ca](mailto:tno@gov.bc.ca)>  
**Date:** March 15, 2016 at 4:42:15 PM PDT  
**To:** Undisclosed recipients;;  
**Subject:** CP News: University of Victoria silencing sexual assault victims, students say

CP News

15-Mar-2016 16:44

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Page 09 to/à Page 10

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## BRIEFING NOTE FOR MINISTRY OF ADVANCED EDUCATION

March 16, 2016

### PURPOSE:

To brief the Ministry of Advanced Education on key concerns, considerations and background information in relation to s.22 request for a meeting with Ministry representatives.

### OVERVIEW OF ISSUE:

s.22 has requested a meeting with senior representatives in the Ministry of Advanced Education and with counterparts with the Official Opposition. s.13, s.22  
s.13, s.22

s.22

In late November of last year, BCIT received a complaint of alleged off-campus sexual assault, brought forward by a third-party—international student recruitment agency s.22  
s.22 —against a BCIT student. This allegation was made months after the incidents were alleged to have occurred (see Key Events, page 2). The recruitment agency did not provide the identity of alleged victims.

BCIT had developed a Sexual Assault Policy, approved by the Board of Governors in October 2015 which served as a guide in addressing these allegations.

s.22

On receiving this complaint on November 27, 2015, BCIT immediately launched a thorough investigation which included:

- reporting the complaint to the police on December 4, 2015
- an internal review by BCIT's Threat Assessment Team in early December
- an independent investigation by an experienced, professional investigator s.22  
s.22 in mid-December, which was finalized on Feb 2, 2016
- an internal investigation to follow-up on ongoing allegations by s.22  
s.22

BCIT President, Kathy Kinloch, announced the conclusion and findings of the investigation on March 2, in a video distributed to the campus community and posted on BCIT's website. The findings were:

- BCIT found no violation of its Sexual Assault Policy

- Evidence did not support the allegations; no direct or verifiable complaints from alleged victims and no corroborated witness complaints
- No related safety risk to students, faculty, or staff

s.22

s.13,s.22

s.22

s.22

BCIT remains confident in its findings and that the investigation was completed in accordance with its policies.

#### **BACKGROUND:**

s.13,s.22

s.13,s.22

s.22

the Institute immediately terminated its contract on March 2, simultaneous with the announcement of the investigation conclusion and findings.

s.13,s.22

#### **NEXT STEPS:**

BCIT continues to monitor media coverage. As a result of our investigation, leadership will be making some improvements in the coming months to facilitate:

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<sup>1</sup> BCIT understands the file was subsequently assigned to the Burnaby RCMP by the VPD.

- Stronger programs to support new international students in their orientation to BCIT;
- Strengthen the direct relationship between BCIT and international students;
- Strengthen our relationship with international student recruitment agencies.

#### **BCIT KEY MESSAGES:**

The investigation into an alleged violation of BCIT policy was challenging because:

- the alleged violations of policy took place off campus
- allegations were made by a third party, one of our international student recruitment agencies, months after they were alleged to have taken place

On receipt of this complaint, BCIT

- Immediately took necessary steps to ensure the safety of our campus community
- Reported the complaint to the police;
- Retained an independent investigator
- Conducted an internal investigation

The investigation concluded:

- BCIT found no violation of its policies
- Evidence did not support the allegations
- There is no safety risk to students, faculty, or staff

No charges have been laid by the police.

We understand that our campus community or the public might want more information about our investigation or findings, but BCIT must and will continue to protect the privacy and confidentiality of our students, so we will not be providing information beyond this update.

**Shaw, Mary A AVED:EX**

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**From:** Carmichael, Barbara JAG:EX  
**Sent:** Thursday, March 17, 2016 11:01 AM  
**To:** Avison, Claire AVED:EX; Shaw, Mary A AVED:EX; Brown, Susan B AVED:EX  
**Cc:** Williams, Julie JAG:EX  
**Subject:** FW: BCIT - Briefing Note [HARRIS-CO.FID277833]  
**Attachments:** BCIT Briefing Note.Mar16-16.docx

Please see the attached BCIT briefing note about its investigation in to a sexual assault reported by a third party, as well as conduct of a<sup>s.22</sup>

This document was forwarded to me by Rod Seig of Harris & Co this morning.

Thanks,

Barbara

*Barbara Carmichael*  
Barrister & Solicitor  
Legal Services Branch  
Ministry of Attorney General  
1001 Douglas Street  
Victoria, BC V8W 9J7  
(250) 356-8817 (phone)  
(250) 356-8992 (fax)

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**From:** Morgan K. Glover [<mailto:MGlover@harrisco.com>] **On Behalf Of** Rodney W. Sieg  
**Sent:** Thursday, March 17, 2016 9:08 AM  
**To:** Carmichael, Barbara JAG:EX  
**Subject:** BCIT - Briefing Note [HARRIS-CO.FID277833]

Good morning,

Please find attached a copy of BCIT's final Briefing Note.

Regards,

Rodney W. Sieg\*  
Partner  
D/ 778 328 2505  
[RSieg@harrisco.com](mailto:RSieg@harrisco.com)

\*Law Corporation



**HARRIS**

Harris & Company <sup>LLP</sup>  
14<sup>th</sup> Floor, 550 Burrard St.  
Vancouver, BC V6C 2B5

T/ 604 684 6633  
F/ 604 684 6632

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**Reeve, Jaclyn AVED:EX**

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**From:** Porter, Rodney GCPE:EX  
**Sent:** Tuesday, June 7, 2016 1:48 PM  
**To:** Carroll, Sandra AVED:EX; Avison, Claire AVED:EX; Brown, Susan B AVED:EX; Cotie, Kate L AVED:EX; Shaw, Mary A AVED:EX; O'Melinn, Sean AVED:EX  
**Subject:** FYI: CP News: University of B.C. unveils draft sexual assault policy in wake of complaints

CP News

07-Jun-2016 13:32

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**Cotie, Kate L AVED:EX**

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**From:** Avison, Claire AVED:EX  
**Sent:** Wednesday, October 19, 2016 6:57 PM  
**To:** Shaw, Mary A AVED:EX; Brown, Susan B AVED:EX  
**Subject:** Fwd: FYI: G&M story expected tomorrow on sexual assault case

Sent from my iPhone

Begin forwarded message:

**From:** "Porter, Rodney GCPE:EX" <[Rodney.Porter@gov.bc.ca](mailto:Rodney.Porter@gov.bc.ca)>  
**Date:** October 19, 2016 at 4:03:30 PM PDT  
**To:** "Avison, Claire AVED:EX" <[Claire.Avison@gov.bc.ca](mailto:Claire.Avison@gov.bc.ca)>, "Brewster, Kevin AVED:EX" <[Kevin.Brewster@gov.bc.ca](mailto:Kevin.Brewster@gov.bc.ca)>, "Vasey, Jeff AVED:EX" <[Jeff.Vasey@gov.bc.ca](mailto:Jeff.Vasey@gov.bc.ca)>, "Carroll, Sandra AVED:EX" <[Sandra.Carroll@gov.bc.ca](mailto:Sandra.Carroll@gov.bc.ca)>, "MacFarlane, Paige AVED:EX" <[paige.macfarlane@gov.bc.ca](mailto:paige.macfarlane@gov.bc.ca)>  
**Cc:** "Meadows, Jennifer L AVED:EX" <[Jennifer.Meadows@gov.bc.ca](mailto:Jennifer.Meadows@gov.bc.ca)>, "Fougner, Trish GCPE:EX" <[Trish.Fougner@gov.bc.ca](mailto:Trish.Fougner@gov.bc.ca)>  
**Subject:** **FYI: G&M story expected tomorrow on sexual assault case**

Globe and Mail is writing a story for tomorrow on a student who alleges she was sexually assaulted by a fellow student in 2013 and was not referred to internal student misconduct policies by either her residence, or mental health and wellness. She further alleges that the university's code of non-academic misconduct has failed her. The student is an engineering student at the Okanagan campus. At the moment, her lawyer and the university's lawyer are hashing out a possible rescheduling of her postponed hearing. The article will look at best practices and the struggle to come up with codes across the country. Due to privacy law and the need to respect fair process, UBC cannot comment on the particulars of any specific complaint or case. UBC expects to take a draft of the new sexual assault prevention and management policy and any other related recommendations to the UBC Board of Governors in February 2017.

**1. Who at UBC receives training on how and when students are told they can bring a complaint to the Equity Office under non-academic misconduct? Does such training cover staff at the Okanagan campus?**

We acknowledge that training is one area where we could improve and it's been the subject of robust dialogue on campus as we undergo the current consultation. Depending on their level of engagement with students, UBC's staff, faculty and student leaders are given different levels of training on how to handle the situation when a student comes forward with an allegation of sexual assault. The non-academic misconduct process is administered by our University Counsel and supported by Student Services (not the Equity Office, which plays an important complementary advocacy role on campus) and it is one option students can pursue if they wish. Another option is to report to the RCMP. Certainly, UBC is looking to expand and improve training, education and awareness around sexual assault, and that is an important component of our ongoing consultation.



**2. When a student sees a counsellor for mental health concerns stemming from a possible infringement of the code of student conduct, when is a referral made to the equity office?**

In the case of a sexual assault, the student would be advised they have the option of proceeding with a misconduct process, administered by University Counsel and supported by Student Services, or filing a complaint with the RCMP. It is important to note that not every student wishes to pursue these options, and UBC provides support services to the student regardless.

**3. Will UBC appoint an independent investigator to look at claims of sexual assault and harassment made by students against students, rather than adjudicate such claims through the process in place now?**

We are being responsive to the feedback we're receiving from the community regarding the process. While we cannot be definitive about what the new process will look like until we've completed the ongoing consultation and heard from all, we have made a commitment to incorporate that feedback into the new policy with the view to making fundamental change.

**4. Concerns have been raised repeatedly that complainants do not know the outcome of cases that they bring to the university (if an alleged perpetrator is suspended, expelled, etc.) Is UBC considering a process that would allow outcomes to be shared with complainants?**

UBC follows the law. The university has a legal obligation to protect the privacy of both complainants and respondents under the *British Columbia Freedom of Information and Protection of Privacy Act*.