

Lily Copeland V. Barney Williams and The University of Victoria

<https://www.cbc.ca/sports/olympics/summer/rowing/lily-copeland-lawsuit-barney-williams-1.5679915>

Ex-UVic rower Lily Copeland sues women's coach, school over alleged verbal abuse

Lawsuit says she was subjected to 'fat shaming' by Barney Williams in 2018-19 season

Brenna Owen · The Canadian Press · Posted: Aug 09, 2020 10:34 AM ET | Last Updated: August 9



A statement of claim filed in B.C. Supreme Court on July 3 alleges former University of Victoria rower Lily Copeland, pictured, was subjected to offensive and belittling language and "fat shaming" by women's coach

Barney Williams during the 2018-19 season. (Chad Hipolito/Canadian Press/File)

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A former member of the University of Victoria's varsity women's rowing team is suing the head coach and the university over allegations of demeaning and aggressive treatment.

A statement of claim filed in B.C. Supreme Court on July 3 alleges Lily Copeland was subjected to offensive and belittling language and "fat shaming" by Barney Williams while she was a coxswain with the team during the 2018-2019 season.

The lawsuit says Williams "created a hostile training environment," singled out Copeland in public and in front of teammates, criticized her weight and berated her in a small, locked room.

None of the allegations have been proven in court.

In an email to The Canadian Press, Williams declined to comment on the lawsuit.

But he wrote that he is "committed to creating a healthy and rewarding environment" for every member of the varsity women's rowing team and that he is "actively evolving" his style.

The University of Victoria said in a statement that it is aware of the lawsuit, but it has not yet been served, and the school does not comment on matters before the courts.

"The university strives to provide a supportive and safe environment for all its students and takes allegations of behaviour contrary to the university's policies seriously," said media relations director Denise Helm in an email.

'Sauna episodes'

The lawsuit says the rowing team's practice site had a heated storage structure referred to as the "sauna" and Williams would lock Copeland inside with him three to five times a week, standing close to her and speaking aggressively, which caused her to feel physically threatened.

As a result of the so-called "sauna episodes," the lawsuit says Copeland was often late or missed academic classes, while the team's assistant coach took steps to comfort and shield her.

It says Sam Heran often waited outside the door of the locked room and tried to minimize Copeland's contact with Williams by escorting her away from practices.

- [Call for coaching codes of conduct after harassment allegations at UVic](#)
- [Rowing Canada, UVic investigate coach Barney Williams for harassment, abuse](#)

The lawsuit says Copeland suffered injuries including stress-induced physiological symptoms, headaches, lost confidence and self-esteem as a result of the misconduct.

It also claims that actions, omissions and policy decisions by the University of Victoria caused or contributed to the misconduct, including failing to provide Copeland with safe environments for learning, training and competition.

Rowing Canada Aviron, the governing body that certifies coaches in the country, is investigating Barney Williams, pictured, over claims of harassment and abuse.

It says the school failed to train or supervise Williams properly, failed to adopt appropriate coaching standards for varsity athletes and failed to take timely and adequate steps when Copeland complained informally to the associate director of sport in October 2018.

Copeland later made a formal complaint through the university's equity and human rights office and the lawsuit says at least two other team members had also complained about Williams.

University to implement new code for coaches

The school hired an adjudicator last year who found his behaviour didn't breach the campus-wide discrimination and harassment policy, which had no language specific to sports.

Rowing Canada is currently conducting an investigation into Williams, who continues to coach.

CBC INVESTIGATES

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The university is expected to implement a new code for coaches with a focus on safe sport guidelines this year and it says improvements to the complaint process for varsity athletes are also on the way.

Helm said in her email that when there are allegations of behaviour contrary to university policies, there are impartial and independent processes in place to resolve and provide accountability.

Copeland told Williams that she was scared of him and their interactions had significantly aggravated her mental health challenges during a mid-season meeting in December 2018, the lawsuit says, claiming Williams responded by telling her to "toughen up."

The statement of claim says that as Copeland's head coach, Williams owed her a duty of care for her well-being not only as an athlete but also as a student.

It says Williams was grossly negligent by failing to provide adequate medical care when he was made aware of Copeland's mental health struggles.

<https://www.saanichnews.com/sports/uvic-threatens-any-athletes-who-speak-about-rowing-coach-investigation/>

UVic threatens any athletes who speak about rowing coach investigation

Barney Williams has been accused of harassment and abuse

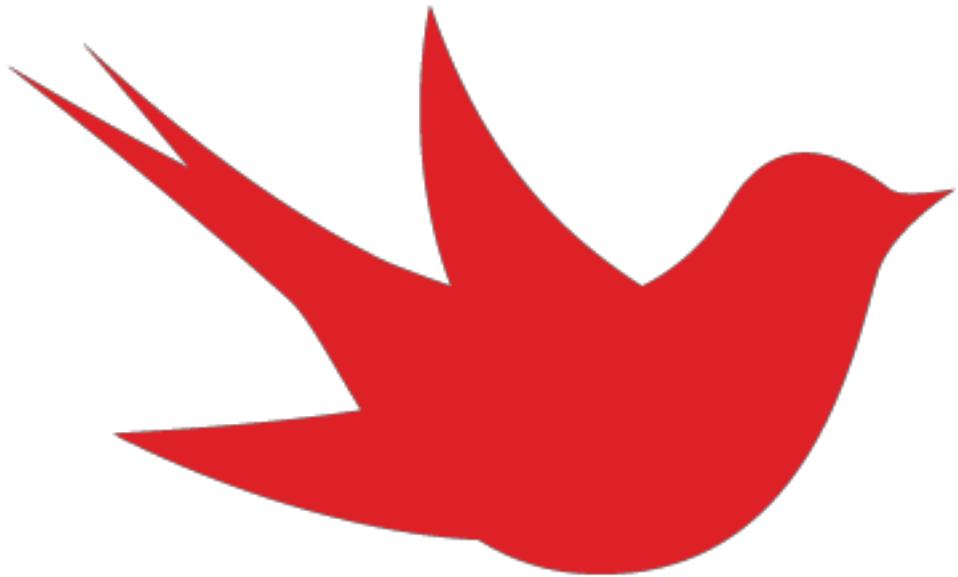
Three rowers who accused coach Barney Williams of harassment and abuse say the University of Victoria has threatened them with disciplinary action if they speak about the results of the investigation.

An appeal process examining the allegations recently ended and athletes were provided with a report yesterday, but they say in a statement they don't feel comfortable saying anything about it.

<https://www.martlet.ca/celebrated-vikes-womens-rowing-head-coach-under-investigation-for-abuse-and-harassment/>

Celebrated Vikes Women's Rowing Head Coach under investigation for abuse and harassment

[Features Investigations](#)
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According to former Vikes, alumnus and Olympian Barney Williams is under investigation by both UVic and Rowing Canada for abusive treatment of athletes

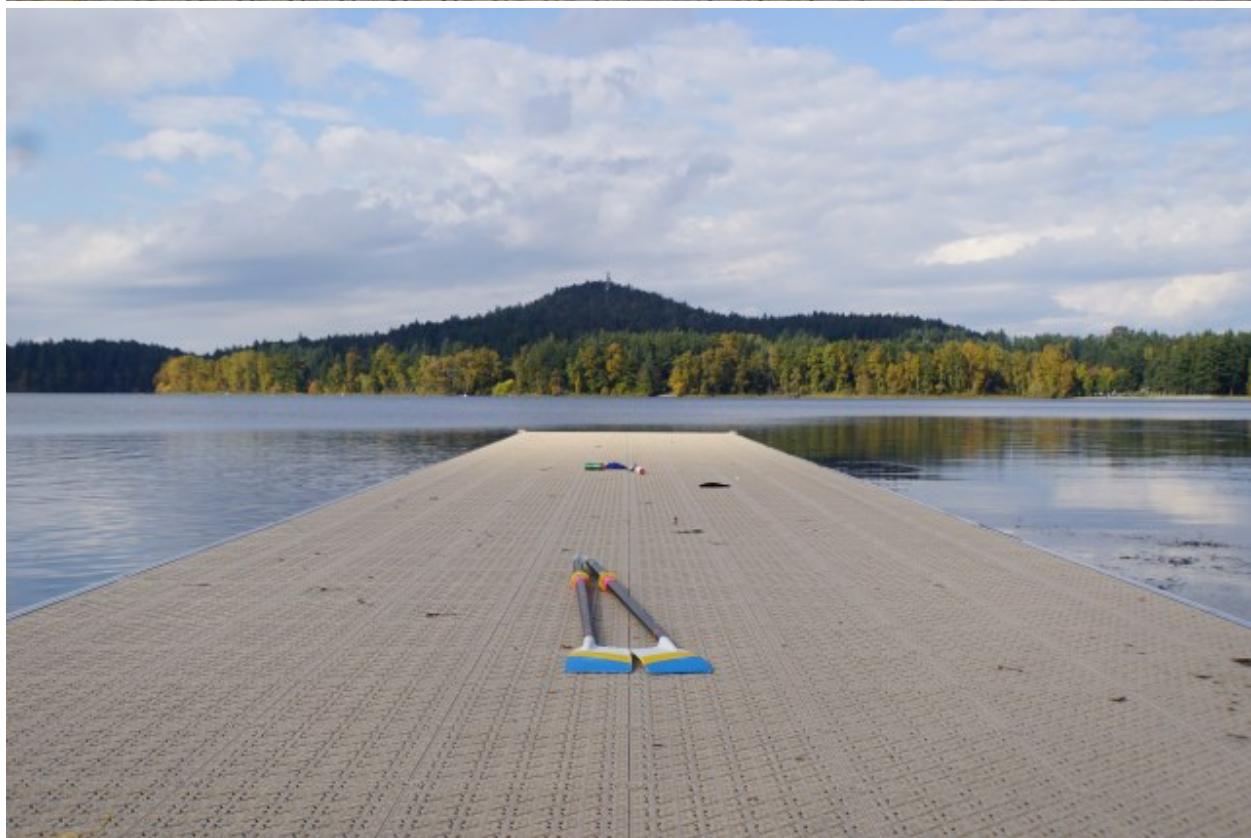
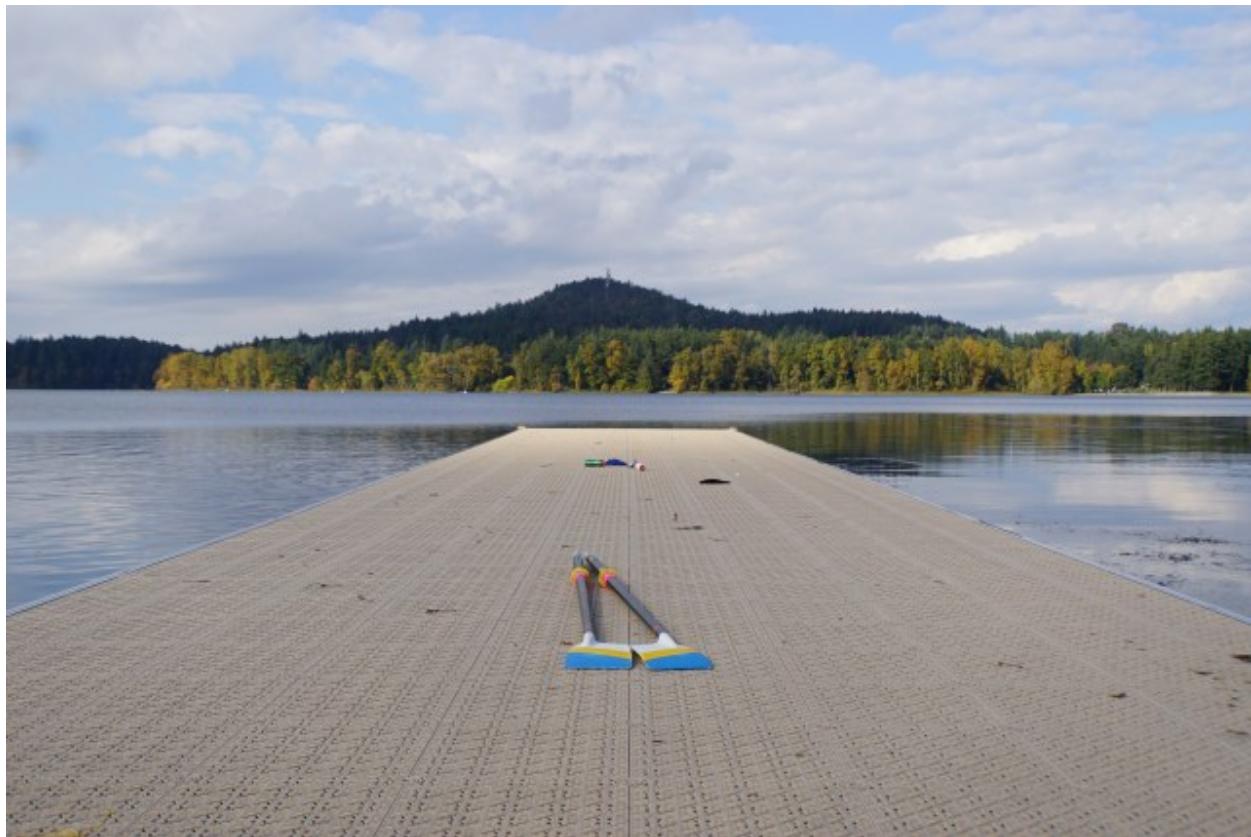


Photo by Natasha Simpson, Senior Staff Writer

In July 2018, the University of Victoria hired Barney Williams, former Vikes athlete and Olympic silver medalist, as head coach of the Vikes Women's Rowing Team.

By early September 2018, Assistant Director of Sports James Keogh had begun to receive complaints from athletes about their new coach's conduct. In December, a female assistant coach brought her own allegations of abuse and harassment to Keogh. In March, with no action taken, complainants involved the Director of Equity and Human Rights. After the issue was brought to Rowing Canada (RCA), UVic opened an investigation. After the Brown Cup at the end of March 2019, Williams was placed on leave.

With both the UVic process and an RCA investigation still incomplete, Williams returned to coaching on Oct. 7.

Throughout the entire process, UVic kept quiet about the context of Williams's leave, the existence of the complaints, and the resulting investigations. As recently as August 2019, many athletes were unaware that their coach's absence was for anything other than personal reasons.

During the course of the Martlet's investigation into Williams's leave, Keogh allegedly instructed the women's rowing team not to talk to the media. Even former athletes were told to keep their mouths shut. One former Vike says she received a text message from a current team member who had attended the meeting telling her that everyone involved had been instructed not to speak on the subject, with specific reference to the Martlet.

UVic Media Relations denies all knowledge of athletes being forbidden from speaking to the media.

Despite instructions not to speak to the media, several former Vikes came forward to share their experiences. For their protection, their names have been changed, but these women believe that former, current, and future members of the Vikes Women's Rowing program deserve to know the reality of the situation.

Blood, sweat, and tears

Training camp, 2018.

Athletes are crowded in the Elk Lake boathouse, refuelling after an on-water training session. They don't have much time to eat and warm up. According to the posted training schedule, they will soon be back out on the lake for a second workout.

But, unbeknownst to the athletes, Williams has changed his mind. Rather than another on-water workout, he orders the team out for a 10 km run around the lake.

Panic ensues. Having been told they would be on the water, many of the women do not have running shoes. Some only have the sandals they wear on the dock. There is a frantic search through spare shoes kept in the boathouse, but there aren't enough in the right sizes for everyone.

This is selection week.

Photo by Natasha Simpson

According to athletes, Williams is made aware that many of his athletes don't have proper footwear. He knows that two women, having not been on the water that morning, have just done the 10 km run route, and one of them has bad shin splints. He makes the choice clear: if you don't do the run, you're not on the team.

Rebecca is recovering from multiple knee surgeries. She can row, erg, and do most forms of training, but running is high impact and her surgeon and physiotherapist have told her not to run. Rick Crawley, the previous women's coach, was supportive, but Williams refuses to give her an alternative. She chooses not to risk reinjury and instead opts to row for the Victoria City Rowing Club (VCRC).

Jamie runs the 10 km in Birkenstock sandals and badly bruises her heel pads. The injury plagues her for the next two months. This is the beginning of the extreme physical toll that rowing for Williams will have on her body. Despite being in a top boat, she will leave the team after Christmas in the worst health of her life.

"Girls were chafing so bad there was blood streaming down their legs," said Leah, who, because of Williams, will leave the team before the end of September. "Girls were crying. It was brutal."

Thighs chafed bloody and new injuries are not the only things that make Williams's first training camp with the Vikes stand out. Former athletes describe a capacity for cruelty, saying that Williams repeatedly humiliated athletes in front of their teammates.

He cuts one woman because, according to an account from an athlete, he says she is "useless" and doesn't "serve a purpose to the team." When another athlete who performed well on a two km erg test is unable to complete a six km, an athlete who was present at the time says that Williams tells her, in front of everyone, "You have no value. You're worthless to this team."

For Leah, the red flags are adding up. She goes to her team captain, who tells her everything is fine. She goes to the assistant coach, who urges her to give it time. Finally, she takes her concerns to Williams, who allegedly tells her that she is “out of line,” “irrational,” and being a “victim.” Leah is the team’s top lightweight, but Williams says she’s just not pushing herself hard enough.

“Throwing eggs at a wall”

When Amy joined the team, being selected was her sole focus and her goal was to race at the early Nov. 2018 National Rowing Championships. Amy says that, though she is still in love with rowing, Williams’s repeated put-downs and refusal to acknowledge her as an athlete caused her to fall out of love with the Vikings. By the time she left the team in early December, she was crying through erg sessions.

With four courses, some of Amy’s classes conflicted with afternoon strength training and erg workouts. So, Amy trained on her own, following an app used by the entire team. In response, Amy said that Williams told her that she wasn’t respecting the program, wasn’t respecting her teammates, and didn’t have the mindset of an athlete. When Amy asked what he wanted from her and what she could do better going forward, Williams only became angrier and continued to accuse her of disrespecting him.

The months that Amy spent on the team were a never-ending fight for a seat in a boat. Rowing is a team sport, but it is also highly individually competitive. Under Williams, athletes said, only those he considered the most elite were guaranteed a spot. Other team members were pitted against each other, without any advice on what they needed to do to improve.

“If you weren’t in [the top eights], you weren’t getting coaching,” Amy said. “He never gave coaching … you took his word as, like, gold. And if he decided that, like, you had some technical change to make and you couldn’t do it on your own … you just weren’t good enough.”

Knowing that Williams doubted her commitment, Amy threw all of her energy into proving him wrong, even going to Samantha Heron, an assistant coach, for advice on how to impress Williams.

“I was always doing the best that I could — obviously, that’s all anybody would do — and I was always pulling my hardest, trying my hardest. But it was just never enough,” Amy said. As she described the conversation, she gestured with her hands to illustrate two differing levels. “He told me that I was down here, and I was never going to be up here.”

Rather than coaching Amy, Williams tore her down and told her that none of her previous rowing experience mattered.

“Pretend you’re a novice, pretend you’re a freshman, because, realistically, that’s where you’re at right now,” Williams allegedly said. “Nothing you’ve done so far is comparable to anything that I’m trying to do here. You’re not an athlete. You’re not competitive.”

Amy says that Williams’s treatment caused her to “disassociate” and make herself numb to get through it. By winter, when the team traded their morning on-water training for erg sessions, the strain was taking a toll.

“I just had such intense anxiety that I would be shaking on the erg,” said Amy. “I would just erg and cry.”

She left the team devastated.

“Rowing is already something that’s hard to do,” Amy said. “You’re getting up early in the morning and you’re training three times a day, you’re spending all of your money, you’re hungry all the time, you’re tired all the time, everything is hard. It’s not a fun thing to do, but I loved it, and I’ve always loved rowing, and I still do. [But] getting told that you’re not committed and getting told that you’re not doing what you can … it’s heartbreakingly.”

When, in September, Leah decided she was done with the Vikings, she requested that Williams meet her in a public place, but that didn’t stop him from losing it.

“He yelled at me for over an hour about how I was wasting an opportunity, I had cheated the team, I’d lied, I had let them down,” said Leah. There is emotion in Leah’s voice as she describes sitting with tears streaming down her face as Williams berated her.

“It was not like speaking to a rational person,” she said. “He was, like, looking through me. He was just screaming, there was nothing there. When he gets angry, like, a switch flips. He’s not someone you can reason with. He is really, really scary.”

Even though the season had barely started when she left, Leah still had to fight with her former coach to get \$600 in team fees back.

“He held it over my head as a way to just threaten me, control me, to keep other people from leaving,” she said. “He told me that it would set a precedent if I got my money back for leaving.”

Leah left because she hated what the team had become under Williams. “It’s throwing eggs at a wall,” she said. “If you survive it then great, and if not, well then you were too weak to begin with.”

Leah is not weak. A top lightweight rower and an RCA Hub athlete, she was an asset to the team, and someone whose rowing career Williams should have encouraged. But, after she went to him with her initial concerns, she said he no longer trusted her.

According to athletes who trained under him, Williams’s MO is to play favourites. He allegedly “elevated people that he thought he could use to get others on board” and gave them “certain privileges” so that they wouldn’t “pay attention to the girls he was mistreating.” Leah believes that this desire to groom the team is why Williams made so many cuts in his first year as coach, slashing the team’s numbers by approximately half that of previous years.

When Leah missed one practice for health reasons, Williams punished her by keeping her off the water for a week.

“[Williams] would not talk to me, would not look at me, because that’s what land squad is, right — it’s punishment,” said Leah. “I was only on land squad for a week because he needed me in the boat. There were girls on land squad for months.”

The boathouse at Elk Lake has a small back room that athletes call “the sauna.” According to members of the team, Williams used this room to intimidate athletes he was angry with. Standing at nearly six-foot-four, he would stand between the woman and the door, blocking her way.

One of the coxswains was a frequent victim of Williams’s rage. According to Leah, Williams “would yell at the coxswain, use his body to physically intimidate her. He would poke her and push her around.”

Not only did Williams get inside the rowers’ heads by yelling at them and physically intimidating them, Leah alleges that, as Amy’s story reflects, he drove out athletes that he didn’t have a legitimate reason to cut by “destroy[ing] them mentally.”

“[He would] make them so ground down, and hate themselves so much that they would think they didn’t deserve to be there,” Leah said.

“Sick in the head”



The "sauna." Photo by Natasha Simpson

Descriptions of Williams's coaching practices illustrate a total disregard for team members' health — mental and physical.

According to Leah, Williams routinely made derogatory comments to members of the team about their mental health. She reeled off a string of examples, including, "Does she need to get her head checked? Is she sick in the head? What the fuck is wrong with you? You're fucking stupid."

Williams's alleged behavior towards the athletes during training camp depicts a lack of concern for the athletes' physical health.

"If you were injured you weren't allowed to train with the team," said Leah. "But you would be land squad — and forced to be on land squad even if you had a doctor's note stating that erging aggravated your injury. You still had to be on land squad otherwise you were cut." Where some injured athletes would have benefited from being able to spin instead of erg, this was not allowed.

The bruising Jamie sustained to her heel pads as a result of being forced to complete the training camp 10 km run in Birkenstocks at the beginning of the season lasted until the end of October. The strenuous training program combined with lack of time left for keeping up with schoolwork caused her to develop anxiety. Worst of all, an illness caught at the end of September turned into pneumonia that lasted several months.

Williams response to Jamie's pneumonia was to tell her to take strong medication to "help." Had she been another athlete, she might have been relegated to land squad for an indeterminate amount of time, but Jamie was in a top eight — not rowing was not an option. She kept her spot in the boat with the help of an inhaler and race-approved steroids that she had to use every practice, but she said that her health was "the worst it had ever been." Exhausted and sick, she left the team after Christmas 2018.

Delays and questions

When Williams was hired in July 2018, he had a probationary period of eight months.

Assistant Director of Sport James Keogh received complaints about Williams within the first few weeks of him taking on an active coaching role. Keogh eventually promised athletes to conduct an early performance review, but allegedly did not follow through.

UVic does not have a coach's code of conduct.

However, the conduct described by athletes violates of section 3.03 of the UVic [Discrimination and Harassment Policy](#), which defines Personal Harrassment as behaviour that “would be characterized by a reasonable person as: ...abusive and demeaning; threatening or intimidating; and either interfering with the targeted person’s participation in a University-Related Activity or creating an intimidating, humiliating or hostile environment. In addition, Personal Harassment must either abuse the power one person holds over another or misuse authority or constitute a pattern of mistreatment.”

By the time an assistant coach made a complaint around December, no action had allegedly been taken. In fact, the first meaningful action by UVic came after the assistant coach turned to Rowing Canada (RCA).

UVic is an RCA Hub school, and so RCA provides support and resources to both athletes and the university.

This action came in March, just before the Brown Cup, a prestigious regatta based on the UVic-UBC rivalry, in the form of a survey distributed to the athletes who were still on the team — excluding Leah, who had been going to Keogh since September, and other former team members who were involved in the complaint process.

According to Leah, UVic demonstrated extraordinarily “unfair” timing to ask athletes, a week before a major event, to “give honest opinions about their coach, knowing they will be cut.” Williams is not the sort of coach to let a negative review slide, she said.

“Trust was huge. As soon as you lost his trust, you were cut,” Leah said. “Or, not literally cut, but you would be socially isolated until you left.”

Leah alleges that Keogh’s delays were intentional, in order to let the probationary period expire, making the process for getting rid of an abusive coach much more challenging. This months-long delay forced the athletes to involve UVic Equity and Human Rights.

She believes that Keogh has protected Williams at the expense of the women’s rowing team. “They’ve known each other for many, many years,” Leah said. “James is a former rower.”

Neither Keogh, Media Relations, nor Williams would comment on the nature of the relationship between Keogh and Williams.

The Martlet requested an interview with Keogh, but was referred to UVic Media Relations who, citing privacy policy and confidentiality, refused to confirm or deny the existence of an investigation. UVic Equity and Human Rights responded likewise.

In response to a Freedom of Information request for files and correspondence regarding the complaints allegedly filed against Williams, UVic told the Martlet that they could neither confirm nor deny the existence of such documents.

The Martlet contacted Williams, but he refused to answer any questions, citing confidentiality and privacy reasons.

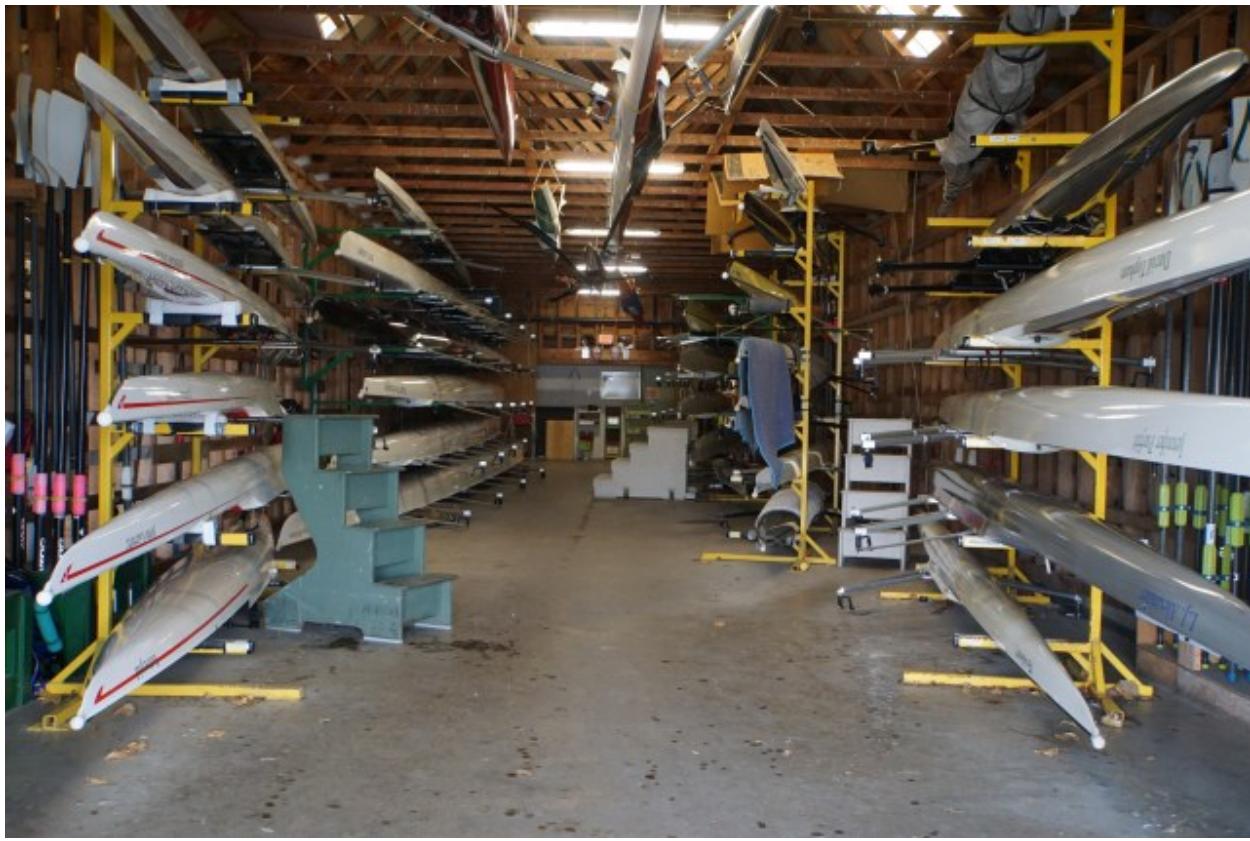
Throughout the entire process, Leah said, she and the other athletes were questioned.

“[They asked] do I realize the severity of what I’m accusing him of? Why can’t I just get over it? I’m just being a victim, he has a family to take care of,” said Leah, reiterating the comments she heard from university staff. “What the university has been arguing is that these girls are just disgruntled athletes that didn’t make the boat they wanted, didn’t make the team, and so they’re just taking it out on Barney and taking this too far.”

In fact, the four athletes who chose to file formal complaints did so at the expense of being Vikes — according to Leah, all are no longer on the team. The assistant coach who took her complaint to RCA following UVic’s inaction did not coach for UVic over the summer. She is back with the Vikes for the 2019-2020 season, but she now works with the men’s rowing team.

“It was part of the understanding that [Williams] was not allowed to treat athletes poorly based on their involvement [in the complaint process], but obviously that doesn’t happen in practice,” said Leah. “As soon as these girls submitted their statements, they all left the team [either immediately or] at the end of the summer when it became clear that he would be coming back [to coaching].”

In some ways, in a startling display of disregard for the legitimacy of the complaints, it appears Williams’s return may have always been inevitable.



The boathouse at Elk Lake. Photo by Natasha Simpson

Training Camp, 2019

Rebecca returns to the Vikes training camp to test her two km and six km erg times. She has considered coming back to the Vikes, but this experience will set her mind against it.

Williams is on leave and under investigation by two different entities, but he is still the listed contact for the Vikes Women's Rowing tryouts. Allegedly, he has designed the entire training schedule, right down to the 10 km run. He isn't there to witness the athletes' performance, but an athlete says he's still making the selection based on erg scores.

"All through this, UVic stated that [Williams's leave] was for personal reasons," Leah said. She alleges that UVic purposely did not inform the women's rowing team that their coach was under investigation by both UVic and RCA.

Rebecca, too, sees the lack of openness and denial of the problem as a failure on UVic's part. "They're so set on him coming back, and I think that's just 'cause they're all buddies," Rebecca said, "which I think is messed up."

One year later

This time, the run is included in the training schedule, so the women know to bring appropriate gear.

The final selection is small, only 21 women, whereas the previous Vikes Women's Rowing Team Head Coach Rick Crawley had usually taken around 40. Twelve of those rowers are high-performing athletes pre-selected for the team.

At Victoria City Rowing Club, Rebecca knows a few former Vikes who swear they will never again row for UVic after what they experienced under Williams. As for Rebecca, she would love to one day return to represent her school, but with one caveat — UVic has to have a good coach.

Leah, one of the first athletes to defy Williams and leave the Vikes on her own terms, is still involved in rowing. Williams's return to coaching on Oct. 7 means he is back at the Elk Lake boat house, where Leah sees him every day.

Leah's goal in continuing to pursue action against Williams, despite having left the team over a year ago, is to protect both herself and other athletes. She doesn't believe Williams will change,

and she knows that the end of his leave marks the beginning of her looking over her shoulder.

“I’m scared,” she says. “I’m expecting that he’s going to keep his distance … But like I said, he’s not rational. He could do anything. I really don’t know.”

Lily Copeland is one of the complainants and has alleged Williams criticized her weight and appearance and yelled at her in a small, locked room, but Williams says he regards coaching as a privilege, and he encourages athletes to become their best version of themselves.

The university faced criticism in 2016 for threatening a sexual assault complainant with disciplinary action if she spoke about the investigative report in her case with anyone other than her family, lawyer, counsellor or police.

At the time, the school said students are free to tell their stories but it cautioned against disclosing third-party information, and the case was cited in the B.C. legislature when the former government brought in legislation to require universities to have sexual assault policies.

READ MORE: [Rowing Canada, uVic investigate celebrated coach for harassment and abuse](#)

The University of Victoria did not immediately respond to a request for comment today but has previously said privacy legislation and its own confidentiality policies apply to all investigations.

<https://www.martlet.ca/this-is-not-working-students-coping-with-sexual-assault-harassment-allege-lack-of-support-from-university/>

“This is not working”: Students coping with sexual assault, harassment allege lack of support from university

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April 15, 2020

[Emily Fagan](#)

Over a dozen cases of sexual assault or harassment failed to find support, alleges former UVSS Director of Student Affairs



Graphic by Darian Lee

For Hazel*, it wasn't a sexual assault that led her to seek help from UVic's Sexualized Violence Intake Office — it was the months of physical and social harassment by students, on- and off-campus, who spread a rumour that the assault didn't actually occur.

“I had been pushed and shoved on the bus, had my photos taken down, and heard people talking shit about me in class,” Hazel said.

UVic’s Sexualized Violence Intake Office lies within the office of Equity and Human Rights (EQHR), which is also responsible for executing the university’s Discrimination and Harassment Policy. Going into her meeting at the Intake Office, Hazel intended to file a disclosure and ask for support with her situation.

“I went in and I told [the person working at the Intake Office] everything and she was like, ‘Well what do you want me to do about it?’ She said it ruder than that,” said Hazel.

There was some confusion — Hazel had to explain that she wasn’t there about the person who had raped her, as they were not a student and the case fell outside of the university’s jurisdiction, but instead about the continued harassment by students on campus.

According to Hazel, she was told that not much could be done unless she had evidence of the harassment. She was told to seek out support from the UVSS’s Anti-Violence Project (AVP), which Hazel didn’t feel comfortable with as the student who had made up the rumour about her was friends with individuals working at AVP.

“Pretty much as soon as I said, ‘I’m not on good terms with AVP,’ she was so done with me,” said Hazel. “That was just it, and I left. I kind of just wanted someone to listen to me, but she was not happy with that.”

Several students, including former UVSS Lead Directors, have come forward with allegations of similar experiences with difficulty accessing support and a lack of survivor-centred, trauma-informed behaviour by the university.

In response to the allegations, some of which EQHR has said it perceives as “defamatory and categorically untrue,” the university provided the following statement.

“Regarding specific situations or cases, the university is prevented from commenting on any individual case by the Freedom of Information and Protection of Privacy Act,” said Cassbreea Dewis, Executive Director of EQHR. “As part of regular practice and when a concern is brought forward with respect to the handling of a file under the Sexualized Violence Response and Prevention Policy or the Discrimination and Harassment Policy, files are reviewed for compliance with the policy and to determine if there has been a departure from proper practice and principles. These reviews are generally carried out by an outside party.

“Of the files reviewed in the 2019-20 year, we have found no departure from the policy or proper practices.”

Within the first year of the policy’s implementation, the Martlet reported on accounts from students [detailing a lack of support, protection, and confidentiality](#) by the university for students who had experienced sexualized violence. In one case, a student’s disclosure of sexual assault was shared without their consent between several members of Residence Life staff. In early 2019, an [external implementation review](#) was conducted that highlighted challenges and recommendations for going forward.

“Even one is a big deal”

It was May 2019, and Isabella Lee had just finished her term as UVSS Director of Student Affairs. However, there was something still troubling Lee — a hole in the system that she had seen impact students on a professional and personal level throughout her tenure.

During her 2018-2019 term as Director of Student Affairs, Lee said she received about 15 disclosures from students of incidents of sexual assault or harassment within UVSS clubs and course unions — starting within the first few weeks of her time in office.

“Most of them were very serious in terms of sexual misconduct and sexual harassment or harassment in general,” said Lee in an interview with the Martlet less than a month after her term ended.

Of the serious cases, Lee alleges that none received disciplinary measures. Why? With regards to the UVSS, she said the answer is simple: according to UVic policy, the UVSS does not have the authority to adjudicate or discipline cases of harassment and discrimination among students.

Because of this, when Lee first began receiving disclosures of sexual assault and harassment, she directed them to UVic’s Sexualized Violence Intake Office. However, while the university’s Sexualized Violence Prevention and Response Policy (SVPRP) explicitly names university-sponsored events and activities including co-op placements, athletic events, and conferences under its jurisdiction, it does not include UVSS clubs and course unions. If a case falls outside of the university’s jurisdiction to investigate, individuals can not file formal reports through the university or pursue community accountability processes.

As the UVSS is unable to investigate allegations, they cannot prohibit any student accused of sexual assault or harassment from being a member of a club or course union in case the allegation is false. While the issue can be brought forward to the UVSS Board of Directors, Lee

said that students often feel uncomfortable with this option, as all 22 members of the board would be made aware of their situation.

In a few cases, Lee said, students in clubs pursued restraining orders with the Saanich Police Department. However, students found it difficult to enforce as they would have to alert the police every time an incident arose.

Left with few options, Lee said that there were a few occasions where she made the executive call to informally resolve issues which were not handled by the university. The club would vote, and depending on the outcome, Lee would talk to the student and suggest they not return to the club due to their alleged actions. However, there was no way to enforce this suggestion due to the UVSS's policy.

On average, Lee said that most clubs are not impacted by issues of sexual assault or harassment.

"But for the 10 per cent of people that it does impact, it really, really fucking sucks, and that's because nothing happens," she said, in reference to the numerous cases to which she witnessed a lack of response by the university and local police in her time as Director of Student Affairs.

"That's not how it should work."

When asked if UVic considers UVSS clubs and course unions within the scope of the SVPRP, Leah Shumka, UVic's Sexualized Violence Education and Prevention Coordinator and facilitator of the Sexualized Violence Intake Office, said that jurisdiction is dependent on the specifics of the case.

"There is a memorandum of understanding between the UVSS and UVic where we can be called on to step in to investigate or look into a matter, and we have done that," said Shumka. "There can be cases where, [regardless], it's not going to fall within jurisdiction. Not falling within jurisdiction is not because they are a course union or a club, *per se*, but because of other factors around the specifics of the interaction."

Shumka said that for individuals whose cases fall outside of the university's jurisdiction to investigate, support options are available and cases can sometimes be handled through informal resolution options under UVic's Discrimination and Harassment Policy.

During her time as a Lead Director, Lee had her own experience with harassment from a club. She compiled all evidence of the harassment in an email to EQHR.

After about four weeks, Lee alleges that the university responded that the situation fell outside of UVic's jurisdiction, as it concerned a club, and suggested she try talking to them herself. According to Lee, UVic asked for the email of the individual who harassed her in order to move forward, which Lee did not know.

In response, Lee emailed sections of the university's policy to EQHR. They asked if she had discussed her issue with the Director of Student Affairs — the position she held at the time — or the UVSS Executive Director, to whom she had already spoken. Frustrated, Lee asked to schedule a meeting. Despite first reaching out about the issue in March 2019, Lee said she still had yet to resolve the situation at a follow-up meeting in June 2019.

"To know that I've been telling clubs to go to EQHR because that's what they're supposed to do, and then if they had that similar experience, that's so upsetting," said Lee.

While waiting for her own case to be addressed, another club came forward to her with a case of sexual assault. Listening to experiences shared by these individuals, Lee recalled, was an upsetting experience.

"To me, that's just when it clicked," she said.

Within the first three weeks of her term as Director of Student Affairs in May 2018, a member of a club approached her asking for support on dealing with sexual assault. She tried her best to navigate the situation despite feeling bound by policy, and ultimately directed them to pursue support options through the university.

"But then, when almost the exact same situation happened at the end of my term, I was just like 'wow, this is not working,'" said Lee. "Clearly the university isn't doing anything and clearly I haven't done enough, and I'm not comfortable with that as a woman to let this keep happening."

Following this, Lee — along with Pierre-Paul Angelblazer and Curtis Whittla, who were at the time respectively Director of Outreach and University Relations and Director of Finance and Operations at the UVSS, along with former (then current) UVSS Executive Director Sabrina Studney — met with UVic Associate Vice-President of Student Affairs Jim Dunsdon, UVic Executive Director of Student Services Joel Lynn, and Executive Director of EQHR Cassbreea Dewis. Later, Lee also had a follow up meeting with Shumka.

“The reason we wanted to meet with them was the general consensus among the four of us [from the UVSS] was that UVic wasn’t adequately addressing the concerns or allegations of students that had come forward to us,” Whittla said. “I think Isabella, Sabrina, and I all had different students come forward to us at different times, many of whom had already tried to involve UVic but were either not responded to or their concerns and allegations were not adequately addressed.

“The sense I got was that UVic was always looking for ways to not be involved, rather than looking for ways that they could help students. Rather than giving students options, they gave reasons why they couldn’t help and only changed their attitudes when the students presented them with options or quoted UVic’s policy.”

Meeting with UVic administration, Lee said, only made her feel worse about the situation as she felt the administrators focused largely on UVic’s accomplishments and not on the concerns raised. At one point in the meeting, Lee said, one of the UVic administrators said that their email inbox was proof of all the people they had helped.

“I was like ‘Okay, but there’s 15 people that I know you haven’t helped,’ and they were like, ‘Well that’s only 15,’” said Lee. “But even one is a big deal. I was unbelievably frustrated.”

Dewis and Dunsdon discussed working together to address their concerns in May 2019 — although the terms of Lee, Angelblazer, and Whittla’s positions at the UVSS all ended on May 1, 2019. However, that follow-up meeting was never held, and current UVSS Director of Outreach and University Relations Jonathan Granirer said that UVic never reached out to the current board to pursue the matter further.

Members of the 2019-2020 UVSS Board of Directors raised similar concerns as their predecessors during an education session hosted by UVic during the summer of 2019. According to Granirer, EQHR informed the board that this could be resolved by the UVSS through complying with the university’s Discrimination and Harassment Policy. However, despite efforts by members of the board, he said the issue has yet to be resolved.

Current Director of Student Affairs, Victoria Eaton, said she has referred multiple students to EQHR, not only for issues involving sexualized violence, although she declined to confirm the exact number of students. Eaton said she followed up with EQHR to confirm these students received support.

“Conversations are ongoing between EQHR and the UVSS on how to support students better in the future,” said Eaton.

In 2017, [the Globe and Mail](#) reported that Central Saanich had the highest rate of sexual assault allegations dismissed as unfounded in Canada, with 15 out of 20 cases dismissed by police. Particularly in light of this, Lee wished she had been able to do more for students who might have had their cases dropped by the police or by the university, with the UVSS unable to help them.

“It just made me feel really bad about myself, I’m sure a lot of people have that too,” she said. “It’s just when people come to you and you’re in a position of authority and of power to a certain extent, and there’s still nothing we can do, it just shows you over and over again why men — not only men — can get away with this.”

With weeks left in the current board term, the Martlet asked Granirer if this issue will be resolved prior to the end of his tenure.

“I’d say it’s unlikely,” said Granirer.

“Survivor-centred, trauma-informed”

After of two semesters of sexual harassment, Dakota*, an undergraduate student working toward an honours degree, changed the way she dressed, started avoiding certain areas on campus, and quit her on-campus position in a lab.

According to Dakota, it was after a lab instructor and teaching assistant — who had targeted her with what she describes as “domineering, infatuated” behaviour both in and out of class — was put in charge of a prerequisite for the honours program that she felt she needed to speak up. In seeking support from UVic, she knew exactly what she wanted.

“When I wrote into the [Sexualized Violence Intake Office], I asked specifically for restorative action and justice,” Dakota said. “I wanted to make sure that I could still get work somewhere and be safe, and that I could maintain good connections [in the department] … I’ve worked hard for them.

“I don’t see [them] as an intentionally harmful person, but unaware and harmful enough to impact my academics.”

Dakota also wanted to ensure that any action taken would not financially impact the graduate student against whom she disclosed allegations, and wanted resources for them on unpacking

toxic masculinity.

Above all, Dakota looked to ensure she could still take the courses she needed to graduate in her program, and for an apology for a statement the graduate student had allegedly made, saying that she “deserved gendered violence.”

The Intake Office reached out to the graduate student, and they came in to discuss the situation. In emails, Shumka described the meeting as “productive,” and the graduate student agreed not to retaliate or engage with Dakota.

Afterward, Dakota went back for a follow-up meeting at the office. She was expressing her own discomfort that the graduate student was in a relationship during the time the harassment took place, Dakota said, when she was allegedly told, “Well, it’s not illegal to flirt while you have a partner.”

“And then I lost it, because it was more than flirting,” she said. “I am a person, working underneath this person, who has a lot to lose — particularly because I have a disability. It puts me in a very marginalized circumstance.”

In an email, Shumka told Dakota that in her case, there was “no pathway to restorative justice.” Community Accountability Processes, a form of restorative justice, is offered to those who file formal reports of sexualized violence. For this process to take place, Shumka noted, they must be approved by all parties, including by the university.

“I had asked for what I asked for for very specific reasons,” said Dakota, in regards to restorative justice. “The school’s policy is survivor-centred, which means that someone like me, if I say that this is how I want to go about dealing with things, part of their job is connecting me with the resources to make that happen … I had no control.”

In response to these and other allegations made by students, EQHR provided the following statement.

“We absolutely want people to access the supports that they need,” Dewis wrote. “We spend time working with everyone that comes to the office to identify the types of supports that might fit with their specific situation. If possible, we set up appointments or make direct referrals.”

Shumka said that she is never supposed to recommend or impose what she perceives is the best course of action — instead, EQHR's procedure is to outline options and let individuals choose.

“When it’s an allegation, we’re going to do everything we can to support the survivor within the jurisdiction of the law and policy as currently written,” she said.

As Lee and EQHR are careful to note, a large number of experiences with the Intake Office are positive ones. In her first year, Cameron* says she was sexually assaulted at an on-campus party. Although she had previously not reported her experiences with sexual assault, Cameron wasn’t the only one assaulted that night and decided to report to the Intake Office in order to strengthen the cases of the other individuals.

Although Cameron can’t talk about the process of reporting through the Intake Office, as she signed a non-disclosure agreement, she feels it was far better than her previous experience with similar cases in high school. She says that she was never uncomfortable, and that things moved at her own pace. According to Cameron, the process took about a month.

“[Shumka and I] actually are still in contact, which is great,” said Cameron. “She’s fantastic, and the program here is a lot better than I had expected.”

A few months ago, Cameron experienced another, more violent assault which didn’t fall under UVic’s jurisdiction. Although she did not want to file a police report, she reached out to the Intake Office, which was able to recommend a therapist that worked well for her.

However, Cameron’s experience is not universal. Whittla, who has personal experience navigating the academic complaint process at UVic, expressed that he found that accessing non-academic support was no easy task.

“For me, someone who was on [the UVic] Senate and who has a deeper knowledge of UVic than the average student, navigating UVic’s complaints process was difficult,” he said. “I cannot imagine how difficult it would be for a survivor of sexualized violence to access UVic’s supports and be heard within their system.”

To Hazel, the label of ‘survivor-centred, trauma-informed’ isn’t an accurate description of her experiences with EQHR.

“It feels like going into a police station where people are just looking for any way to discredit me and get me out of there,” she said.

At one point, Hazel asked EQHR if they would consider mentioning the low rate of false sexual assault allegations and reasons people on average don’t lie about instances of sexual assault in educational sessions run by the Sexualized Violence Office — particularly at sessions run in the Student Union Building. However, Hazel said that she was told the workshops would not be altered for her.

According to Hazel, a class presentation from EQHR representatives on sexualized violence prompted her to speak up again about content she felt should be included in education sessions. Although the impact of sexualized violence on other members of the LGBTQ+ spectrum had been mentioned, she asked if they could explicitly mention that in Canada, bisexual women are the most likely to be assaulted and the least likely to be believed.

“As a bisexual woman, I feel my sexuality was really used against me in this rumour,” Hazel said.

The presenter responded that he knew many queer people but had never heard of that statistic, Hazel said, which seemed to be the end of the discussion.

“It was just awful,” she said.

In response, Dewis said that there are many individuals who conduct sexualized violence education sessions, including student educators, staff from the Office of Student Life, and EQHR staff.

“We can assure you that false reporting is a key facet of the training,” wrote Dewis. “I cannot speak to these specific incidents but I can imagine that if a peer-educator was approached to change the programming they would be uncomfortable committing to those changes as that would be outside their role and responsibilities.”

“Room to improve”

Shumka says that the committee will be large, and that the university will also conduct further outreach and consultation.

Currently, the university is in the process of forming a committee to conduct the first mandatory review of the SVPRP since it was enacted in 2017. Representatives from offices around UVic, including the ombudsperson, Campus Security, Human Relations, Faculty Relations, and Student Affairs will be selected by UVic President Jamie Cassels. The university also plans to reach out to the graduate and undergraduate student societies for a student representative from each respective group.

Students for Consent Culture, a national anti-sexualized violence organization, has a [scorecard](#) for grading sexualized violence policies. In the interest of evaluating UVic's SVPRP ahead of the review process, Granirer and the Martlet independently graded the policy based on the scorecard, both concluding a score of 71 per cent, or a B-. According to the rankings of other students of their sexualized violence policies at universities across Canada, Ryerson scored 90 (A+), the University of British Columbia scored 87 (A), and McGill scored 68 (C+) on this scale.

Many of the sections UVic's policy lost points for, Shumka said, are practices UVic apparently now follows — such as mandatory training for decision makers, informal resolution options, and having an advisory committee — but are not explicitly mentioned in the policy. Implementation had not begun when the policy was created, so Shumka expects many of these will be added to the revised policy through the review.

“Once you account for that, we’re actually doing really great,” Shumka said. “But of course, there’s always room for improvement, and some of these pieces are certainly open for discussion among the committee.”

Additionally, Shumka plans to request that the committee add clarification around informal resolution processes and approaches for restorative justice.

Granirer felt UVic's SVPRP matches up largely on par with the policies of other post-secondary institutions.

“We’re doing a little bit better, but still not good enough,” he said. “There’s still a lot of room to improve.”

In looking into the issues raised by clubs and course unions under the policy, Lee noticed that UVic students were not alone in struggling with gaps in their sexualized violence policy.

“[Other student societies] have the exact same problems that I did, which is super frustrating,” Lee said.

One student society administrator at a university told Lee that they had to go on pub crawls with student groups in an attempt to prevent sexualized violence.

With the review coming later this year, Granirer feels now is an important time for the university to critically examine how their practices and policies around sexual assault and harassment can be aligned to fit the needs of all members of the UVic community.

“The policy says one thing, it says that it is ‘trauma-informed’ … that needs to work with all branches of the university,” said Granirer. “Everybody has a duty of upholding that policy — that needs to be made clear.”

**Names have been changed to protect the identities of the individuals.*

<https://vancouverisland.ctvnews.ca/university-of-victoria-silencing-sexual-assault-victims-students-say-1.2818787>

University of Victoria Silencing Sexual Assault Victims, students say

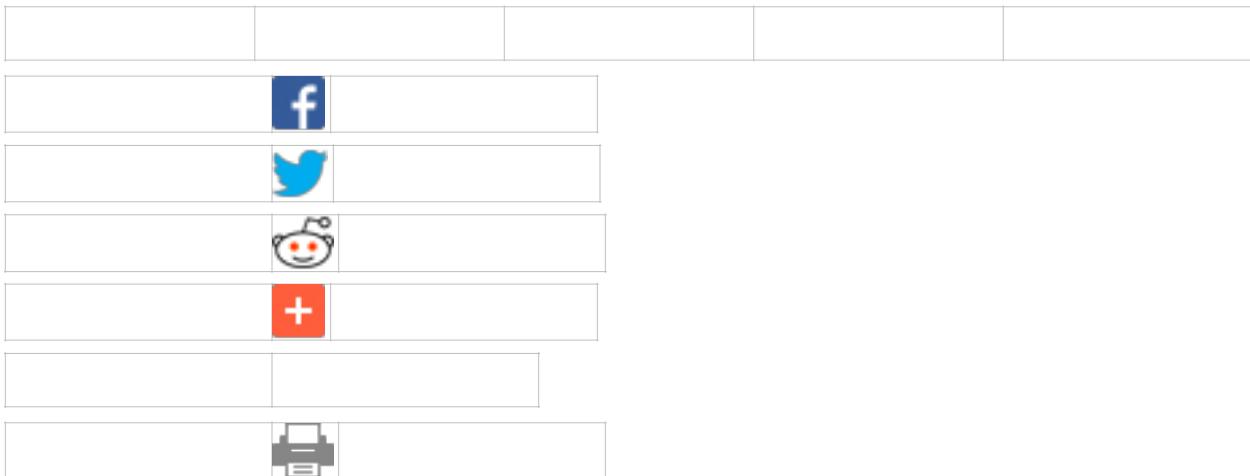
The Canadian PressPublished Tuesday, March 15, 2016 3:59PM PDTLast Updated Wednesday, March 16, 2016 11:03AM





A sign at one of the entrances to the University of Victoria was covered up with spray-painted saran wrap that included the message "2016, No Sexual Assault Policy? Shame." March 8, 2016. (CTV Vancouver Island)

SHARE





• VICTORIA - A student says the University of Victoria failed her in its investigation of a sexual assault complaint and warned her to stay quiet about its findings.

The student said she had to request the investigator's report. When she received a redacted version several weeks later, an attached letter warned her not to discuss the findings with anyone other than her lawyer, family, counsellor or police.

The report determined she had not been sexually assaulted because she hadn't verbally said "No," even though the investigator found her to be a credible complainant, she said.

Related Stories

- ['Shame': Activists hijack UVic sign over lack of sex assault policy](#)
- [Charges recommended against male student in sex assaults of four women at UVic](#)

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“I felt completely invalidated and silenced,” said the woman, who asked not to be named. “I was really frustrated.”

The woman and two students who work in residences have come forward with complaints that the university is failing sexual assault victims and fostering a culture of silence. The allegations emerge as universities across Canada face criticism of their handling of campus attacks.

Joel Lynn, executive director of student services, said the University of Victoria encourages the campus community to have an open dialogue about sexual violence. He said students who report assaults are connected with support workers who guide them throughout the process.

He said he could not discuss specific cases, but investigations rely on the Criminal Code definition of sexual assault, in which silence is not considered a form of consent.

“We do not have a 'no means no' policy,” he said.

He said external investigator reports are first given verbally but the written report has to be requested, so that sensitive legal and privacy information about third parties can be removed.

A copy of the letter received by the student states that “failure to maintain confidentiality may result in the university pursuing disciplinary actions with its applicable policies.”

But Lynn said support staff help students understand that it's “their story to tell.”

“We do caution students about ... disclosing third-party information, but we certainly don't put any barriers around students where they can't tell their story,” he said.

Like many universities in Canada, the University of Victoria lacks a stand-alone policy to respond to sexual assaults and instead relies on a non-academic misconduct policy.

The student said she was assaulted in November and immediately reported it to the school. She said she decided against going to police because she feared how she would be treated by officers.

The school hired an external investigator, but the student said - in contrast with Lynn's statements - that she was offered very little support throughout the process. In the meantime, she saw her alleged assailant nearly every day on campus, where he continued to live, she said.

"It's pretty terrifying," she said. "It got to the point where I didn't feel comfortable walking around on campus by myself."

She said she later learned at a meeting with university officials that the school took some action including requiring the student to move off campus but he was not expelled. It was at that meeting she found out she had to request the report.

She wants the university to create a stand-alone sexual assault policy, offer more support to complainants and to ensure staff and students have full training on sexual assault and consent. There are students who have been sexually assaulted and don't feel safe reporting it, she said.

“The safety of every student should be a priority for the university, and it's not right now,” she said.

“I think it's really terrible that the people who are the most vulnerable are the ones who have to protect ourselves the most.”

Two students who work as residence staff members also said they've faced pressure to stay silent about sexual assaults on campus.

The staff members, who spoke anonymously because they fear repercussions, say a supervisor recently told them to call security if journalists showed up after a male student was arrested in connection with four alleged assaults in a separate case.

Asked about the allegation, the university responded that residence staff are asked not to speak to media on behalf of the university and to report anyone gaining access to student residences without permission.

Residence workers often act as first responders to campus sexual assaults, referring students to campus security and to the Judicial Affairs office to report attacks.

The two students said they feel frustrated and demoralized because often reports go nowhere, they said.

“The assailants are allowed to remain on staff, remain on campus, remain as students indefinitely. Most of the time, nothing happens,” said one of the students.

“In not having a clear policy in place, in not having consequences for the people who did this ... the university is ultimately complicit in all these sexual assaults. They're allowing it to happen.”