

Abstract

In September 2016, the provincial government of Ontario required all publicly funded universities and colleges in the province to create standalone sexual violence policies through the introduction of the *Sexual Violence and Harassment Action Plan Act*, formerly known as Bill 132: *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment)*. Despite its rollout over 5 years ago, sexual violence on post-secondary campuses continues at an alarming rate. Through an exploratory case study of the Act and 5 Ontario universities, this research uncovers the gaps in current sexual violence policies by exploring what accounts for different campus contexts in relation to sexual violence and rape culture if publicly funded universities in Ontario are all mandated by similar policies? Findings focus on failure to adequately prevent and respond to sexual violence and rape culture due to the provincial government neoliberal framing and lack of intersectional approaches. Policies that work to prevent societal issues such as sexual violence must incorporate an intersectional approach that reframes current narratives, provide consistent and transparent responses across the sector, and hold individuals accountable for their actions.

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Section 1: Introduction

Sexual violence on university campuses in Canada is an ongoing and pervasive issue. A study from 1992 by Quinlan, Clarke & Miller (2016) showed that “60% of Canadian college-aged males indicated that they would commit sexual assault if they were certain they would not get caught” (p.42). Years later, sexual violence among university students continues at an alarming rate, as a 2015 study showed that one in five women experience sexual violence while attending a post-secondary institution (Canadian Federation of Students, 2015). As a result, the provincial government of Ontario introduced the *Sexual Violence and Harassment Action Plan Act*, formerly known as Bill 132: *Sexual Violence and Harassment Action Plan Act (Supporting Survivors and Challenging Sexual Violence and Harassment)*. The implementation of the *Act* required all universities and colleges to create standalone sexual violence policies. However, despite the rollout of the *Act* in September 2016, the pervasive issue of sexual violence on campus continues. More recently, sexual violence on campus has become a reoccurring incident covered by media. For instance, female students from the University of Guelph having their drinks spiked with an unknown substance at multiple events both on and off campus (Patton, 2021), up to 30 women from Western University were sexually assaulted in an on-campus residence (Casaletto, 2021), and misogynistic banners that were displayed during homecoming weekend at Queen’s University, read, “lockdown your daughters, not Kingston” and, “Western guys wish they were Pfizer so they can get inside her” (Mazur, 2021). Incidents from across the province highlight that sexual violence is not an isolated issue, and such acts of violence widely endorse a culture of rape. Therefore, this research explores: what accounts for different campus contexts in relation to sexual violence and rape culture if publicly funded universities in Ontario are all mandated by similar policies? Through an exploratory case study of 5 Ontario universities

sexual violence policy, this research uncovers what is missing from the *Act*, specifically focusing on the perpetuation of rape culture as well as why, if at all, do some universities experience a more prevalent rape culture.

In the first section, a brief overview of the research, including my subject position and the significance this research has in the field of social work is provided. Section 2 examines the current literature that focuses on rape culture more broadly, as well as in relation to campus sexual assaults with sexual violence policies, addressing any gaps in the implementation of the *Act*. Following that, section 3 discusses the importance of utilizing an intersectional feminist framework for this research, coupled with a post-structural policy analysis as developed by Carol Bacchi (2009). Section 4 provides an analysis of the findings, highlighting the failure of the *Act* and subsequent policies to adequately address and respond to sexual violence and rape culture due to its neoliberal framework and lack of an intersectional approach. The last section concludes by providing implications for social work practice and recommendations for future responses to sexual violence.

Situating Myself

I position myself in this research as a student currently enrolled in a post-secondary institution that implements the undertakings of the *Act*. I recognize the multifaceted positions that make up my identity and am actively choosing not to identify them throughout the research. With that, however, I recognize that I, “take up or identify with particular subject positions structured through relations of power [that are] made available through different discourses” (Heron, 2005, p.347). Through this, I recognize that the identities I position myself with have been formulated both on their own and in relation to each other, depending on the spaces in which they occupy. These identities intersect to impact the ways I perceive myself, the values,

and beliefs I uphold, and in relation to my research, how I have come to and engage with the topic. Who I am – my subjectivity – has brought me to this research and has shaped the ways in which I engage with all aspects of it. Therefore, I engage with this research in a way that is informed by my subjectivity. It is important to acknowledge and establish such reflection as it inhabits a critical lens to guide this research.

Although sexual violence can happen to anyone, it disproportionately impacts women and gender-diverse people. More so, some groups are at an even higher risk due to additional discriminations, including disabled people, Black, Indigenous and people of color and transgender and non-binary people (Canadian Women's Foundation, 2021). Therefore, through this reflection, I emphasize that I do not speak for or represent the heterogeneity of those who have experienced sexual violence. Sexual violence and the behaviors, attitudes, and beliefs that normalize it impact all members of society, often in vastly different ways. With that, everyone has a right to speak to their experiences, or not. What people choose to share, including when, where and with whom is entirely their choice. Allowing survivors of sexual violence to share their narrative when they decide it is time to do so is an act of reclaiming power. Survivors having choices can be empowering as it offers the realization that future decisions rest in their hands (Kulkarni, Bell & Rhodes, 2012). It is with this understanding that it is my choice to not speak to my own experiences of sexual violence in relation to this research. With that, I recognize the duality of my position within this research as both privileged and marginalized and hold this reflection in relation to my understanding and experiences of sexual violence. Furthermore, while I refer to individuals who have experienced sexual violence throughout this research as 'survivors', it is important to acknowledge that this is not always the way in which

they want to be identified, and again, does not reflect the differences in lived experiences. This understanding and reflection of sexual violence is incorporated throughout this research.

Relevance to Social Work

This research is resistance. I recognize the power my research holds to openly challenge the things I do not agree with, ultimately disrupting systems of power and control. When I reflect on the historical undertakings of social workers, who were often, “trained to defend the status quo” (Jeffery, 2002, p.32) and the ongoing violence that has been caused by such, I think of the ways in which I can resist being implicit in the production of power reflecting specific knowledge systems. My research aims to be a representation of what social work can be when a focus on critical reflection is emphasised and engaged with properly. More specifically, it represents the ways in which social work can be an act of resistance despite the impact it might hold. “Resistance does not necessarily lead to a change in power relations” (Pease, 2002, p.141), and that is okay. This research will not lead to a ground-breaking shift in the ways sexual violence is understood and discussed, but it will allow me to openly challenge sexist and misogynistic attitudes and behaviours that I will inevitably encounter in the field. Therefore, it is important to me as an emerging social worker that I do good work now, so in practice I do not continue to perpetuate unnecessary harm that is so often done in this field. Being critical in the field of social work does not necessarily mean I am able to demolish the systems I disagree with, but it does mean I recognize its creation and practice my ability to resist it.

Put broadly, Oak, Julich & Morton (2020) identify sexual violence as a social work issue for several reasons. To begin, authors argue that the ways in which sexual violence is to be addressed is equivalent to the values underlying the social work profession, which is, “the duty to challenge all forms of oppression and uphold the principles of social justice and human rights”

(p.618). It is further argued that “no matter what specialist area the social worker engages in, they are likely to encounter, on a regular basis, cases involving [sexual violence]” (p.618).

Lastly, Oak et al., (2020) indicate that social work students have little knowledge on how to properly address sexual violence, including how to effectively intervene, create safety plans and take action to protect survivors. The study shows that the field of social work holds a critical position in discussions and implications surrounding sexual violence that social workers must pay attention to. With that, there is much learning and unlearning to be done for social work students as they prepare to enter the field. In summary, while this research is resistance, it also reflects a much larger gap for which the field of social work is to address.

Contributions

This research will support future researchers, academics and activists pave the way to properly address sexual violence on post-secondary campuses, as it will offer new understandings of policy limitations in preventing the perpetuation of rape culture. More specifically, it contributes to existing literature surrounding sexual violence on Ontario university campuses, helping challenge the narrative of sexual violence. It also provides insight into how social work students as well as the profession must better prepare themselves to understand and challenge sexual violence within the field. Most importantly, this research will help institutions respond to disclosures and reports of sexual violence, ensuring survivors receive adequate care through an intersectional, non-judgemental space.

Conclusion

Sexual violence is a pervasive issue impacting post-secondary students, including myself. With that, it is evident that much learning and unlearning surrounding sexual violence must be done. This research supports uncovering the gaps of current sexual violence policies which

address different campus context in relation to sexual violence and rape culture. The ways in which I have come to and engage with this research reflects my subjectivity but does not speak to the heterogeneity of survivors. The implications for the field of social work and social work students can contribute to and foster a space in which they are equipped to respond to sexual violence.

Section 2: Literature Review

Current literature lacks a comprehensive understanding of rape culture as it relates to sexual violence policies on post-secondary campuses. This has led to a gap between what is intended to happen in relation to sexual violence policies and the impact of what student's experience. It is important to develop a concrete understanding of rape culture, as it affects the perpetuation of sexual violence. Until social norms that excuse and accept sexual violence are acknowledged and challenged, this will continue to be a significant issue. Consequently, without understanding the underlying causes of sexual violence and rape culture, policies will continuously fail to adequately address the issue. Therefore, the following literature review first explores key themes surrounding rape culture on Canadian post-secondary campuses. It then examines the ways in which sexual violence is defined in relation to policies and their impact on students', including their understanding of services and supports available on campus. Lastly, the following literature review highlights gaps within sexual violence policies and what is currently being suggested to address those gaps. This review supports the research in addressing to what extent do post-secondary environments uphold and perpetuate rape culture.

Rape Culture

Rape culture has been defined differently through history. Leana Bouffard and Amanda Goodson (2017) acknowledge the historical definition of rape as defined by Mary P. Koss's

(1993), “carnal knowledge of a female forcibly against her will” (p.269). This definition of rape acts as a marker for the beliefs surrounding the violence to begin discussing various definitions, highlighting new knowledge and changes to its understanding.

One central concept in the literature is the term “rape myth” which provides a foundation for understanding sexual violence. Martha Burt coined the term in her 1980 piece: *Cultural Myths and Supports for Rape*. Burt describes rape myths as, “a belief system of lay people and of professions who interact with rape victims and assailants” (p.217). Sex role stereotyping alongside other attitudes and beliefs are also a part of an ideology that effectively supports and excuses sexual violence. Laura Sinko, Michelle Munro-Kramer, Terri Conley and Denise Saint-Arnault (2021) define rape myths as stereotypical beliefs about situations, survivor, and offender characteristics that distinguish sexual assault from consensual sex, justifies sexual violence, and removes blame from the offender and places it on the survivor. This definition is echoed in similar pieces of work where rape myths are defined as false beliefs, stereotypes and (negative/positive) prejudicial thoughts people hold toward rape survivors/offenders (Reiling, Barton, Becker & Valasik, 2017), as well as false beliefs about rape that are shaped by sexism and other prejudices individuals hold (McMahon & Farmer, 2011). Furthermore, rape myths can be described as, “beliefs that are statistically false, but perceived as truths...” (Strain, Martens & Saucier, 2016, p.87). Rape myths have an important role in the endorsement of a culture of rape, which is also reflected on post-secondary campuses.

Rape myths can be seen through the ways in which a culture of rape is normalized. In relation to sexual violence, perpetrators, victims, and bystanders often internalize normative behaviour which in turn impact their expectations, responses, and acceptance of violence (Sinko et al., 2021). These internalized behaviours are often seen as the acting out of rape myths. Rape

myths have widely endorsed a culture of rape, which refers to, “multiple pervasive issues that allow rape and sexual assault to be excused, legitimized and viewed as inevitable” (Giraldi & Monk-Turner, 2017, p.116). Audrey K. Miller (2019) characterizes rape culture as the “prevalent rape of women by male acquaintances, which is exacerbated in the aftermath by negative social responses including attributions of victim culpability” (p.428), or “a society in which sexual violence is prevalent, excused and encouraged by popular attitudes, norms and media messages” (Strain et al., 2016, p.86-87). Rape culture also works to normalize, trivialize, and condone sexual assault against women (Giraldi et al., 2017). Sinko et al., (2021) link rape culture to sexual violence in a campus setting, stating it as, “an environment in which sexual violence and date rape are tolerated as part of campus life, often causing sexually aggressive behaviours to be normalized within the social milieu” (p.567). Sarah McMahon and Victoria L. Banyard (2012) refer to these definitions as a rape supportive culture, a culture that sustains gender stereotypes and sexism, thus normalizing certain behaviour acts of sexual violence. In summary, rape culture is sustained and endorsed through the mobilization of rape myths.

Rape culture is also evident within post-secondary institutions. In relation to university campuses, Reiling et al., (2017) echoes these statements by discussing “hookup culture”. Hookup culture is defined as, “a social environment that encourages sexual contact free from binds of commitment or emotional intimacy...often framed as sex positive and promoting sexual freedom” (p.514). Bell hooks (2000) offers an important link between a culture of sexual liberation, i.e., hookup culture, and sexual coercion. Hooks states there is an assumption tied to sexual liberation that people ‘should’ be engaged in sexual activity. This link is closely tied to gendered sexual norms of masculinity and femininity that expect men to act sexual and women to respond to these sexual advances. These gendered acts are often normalized and encouraged

within society; therefore, it can be argued that with an increase in sexual liberation comes the acceptance of gendered sexual roles which, in turn can encourage sexual coercion and a lack of choice. A further important piece to explore in relation to sexual violence is the idea of sexual freedom, as it closely relates to sexual oppression:

Sexual freedom can exist only when individuals are no longer oppressed by a socially constructed sexuality based on biologically determined definitions of sexuality:

repression, guilt, shame, dominance, conquest, and exploitation. To set the stage for the development of that sexual freedom, feminist movements must continue to focus on ending female sexual oppression. (hooks, 2000, p.151)

With that in mind, hookup culture has a direct correlation to the argument explored by hooks, demonstrating the intensity of sexual liberation. Hookup culture has the power, as hooks mentioned, to encourage sexual activity, regardless of if it was sexual coercion. These explorations of rape culture, alongside its connections to sexual freedom on university campuses offer an important reference point as universities are considered ‘hot spots’ for sexual violence. Quinlan et al., (2016) make this claim primarily due to the population of young women who are considered vulnerable to violence as there are low levels of group cohesion and community attachment as well as higher rates of alcohol and drug consumption. Quinlan et al., (2016) further explore sexual violence on Canadian university campuses, demonstrating how sexual violence is perpetrated through, “a cultural phenomenon with prevailing norms and perceptions tending to equate ‘feminine’ roles and behaviours with subservience’s to men’s (supposedly uncontrollable) sexual needs” (p.42). Rape culture, rape myths and hookup culture share what Reiling et al., (2017) refers to as a social structural foundation, where the existence of them depend on and reproduce similar social acceptances. Traditional heteronormative sexual scripts, gender norms

for sexual interaction, hegemonic perceptions of men's sexual aggression and women's responsibility to be passive/feminine gatekeepers are all contributors to rape culture, rape myths and hookup culture. Therefore, it is argued that behaviours that perpetuate sexual violence and rape thrive in environments that uphold such social structures, such as parties occurring in dorms, fraternity houses, sorority houses, and bars (Giraldi et al., 2017; Reiling et al., 2017). Authors demonstrate the expectation attached to sexual liberation through the perpetuation of hookup culture.

Sexual violence has been characterized in various capacities. Specifically, hooks (2000) echoes authors regarding the persistent violence beyond sexual violence as an expression of male domination and a relationship that occurs between the powerful and dominant and the powerless and dominated. Violence in general is a "belief system that is the foundation on which sexist ideology and other ideologies of group oppression are based" (p.118). To end sexual violence both feminist as well as all members of society must think of ending violence all together. To focus solely on the idea that men are abusers and women are victims, feminist movements have perpetuated sexist stereotypes that men are violent, and women are not. Hooks argues,

This type of thinking allows us to ignore the extent to which women (with men) in this society accept and perpetuate the idea that it is acceptable for a dominant party or group to maintain power over the dominated by using coercive force. (hooks, 2000, p.118)

Hooks offers an important suggestion that to end violence, "we must see both men and women in this society as groups who support the use of violence" (p.118). Noting the definition of violence, and the extent to which society must go to minimize harm will be of importance when considering prevention strategies in relation to sexual violence policies. Furthermore, Reiling et al., (2017) argue that hookup culture disproportionately benefits white, heterosexual, non-

disabled, middle/upper class men, and helps reproduce pre-existing hegemonic power relations between men and women. This in turn, reinforces intersectional patterns in gender inequality as well as heteronormative sex scripts that normalize men's sexual aggression. The observation calls out deeply rooted social structures that allows oppression to continue, and can be related to Kimberle Crenshaw's 1989 work, *Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination, Doctrine, Feminist Theory and Antiracist Politics*. Here, Crenshaw provides numerous examples of Black women's exclusion from multiple social spheres, one of which is found in the feminist discourse of rape, stating,

The singular focus of rape as a manifestation of male power over female sexuality tends to eclipse the use of rape as a weapon of racial terror. When Black women were raped by white males, they were being raped not as women generally, but as Black women specifically: Their femaleness made them sexually vulnerable to racist domination, while their Blackness effectively denied them any protection. (p.158-159)

The role rape myths have contributed to a culture of rape are present both on university campuses and within society. Rape myths have normalized sexual violence, while at the same time benefiting and oppressing members of society. The exclusion of Black women through both race and sex alongside the observation by Reiling et al., (2017) provide substantial reflection from an intersectional framework when exploring rape culture on university campuses, which will be utilized throughout this research. Lastly, rape culture plays a significant role in the sustainability of sexual violence, and therefore is important to consider when reflecting on sexual violence policies on post-secondary campuses.

Sexual Violence Policies

In Ontario, it is mandatory that all universities and colleges create and adopt standalone sexual violence policies under the *Sexual Violence and Harassment Action Plan Act* (Marques, Couture-Carron, Frederick & Scott, 2020; Ostridge & O'Connor, 2020; Ostridge, 2020; Shankar & Tavcer, 2021). Authors explore how sexual violence is still a prevalent issue on post-secondary campuses.

There are various reasons as to why sexual violence policies continue to fail students. Marques et al., (2020) explore one of these reasons by answering an important question when addressing sexual violence policies in Canada – do students trust their post-secondary institution enough to seek supports and access services after experiencing sexual violence? The authors use the term institutional betrayal to reflect students' distrust in their post-secondary institution. "Institutional betrayal occurs when an institution causes harm to an individual who trusts or depends on that institution" (p.41). In relation to sexual violence, Marques et al., (2020) argue institutional betrayal can include police officers dismissing sexual assault allegations as well as investigators and lawyers re-victimizing survivors through victim-blaming and interrogation strategies. Institutional betrayal can also include failing to prevent such mistreatment. The authors argue that lack of reporting, trust and confidence from survivors is a direct result of institutional betrayal. Post-secondary institutions pride themselves in having a safe and trustworthy space for their students, however, Marques et al., (2020) finds that students often do not report their experiences of sexual violence to their schools because they are either unaware of the services offered or there is a lack of trust in the school's policy in its ability to provide adequate support. With that, the authors conclude that a lack of trust can act as a barrier to reporting and utilizing services. Here, it is important to reflect on the limitations not explored by

the authors, in which trust plays a role in students' decision to report to their university. For instance, different groups of students, depending on their membership in oppressed groups, may have preconceived expectations surrounding access and resources in the first place, resulting in less institutional trust. This then begs the question, if students have an overall lack of trust in their institutions' ability to provide access, resources and supports in an adequate manner, who is the *Act* supporting and how can it better reflect the needs of students?

Furthermore, Ostridge (2020) incorporates Bacchi's understanding of policy as discourse analysis by examining how institutions articulate and define the problem of sexual violence and consequently, how that shapes the solution. Bacchi's (2000) work presents an important reflection on the use of discourses in policy, proposing that, "problems are given shape in the very policy proposals that are offered as responses" (p.48). With that in mind, Ostridge (2020) argues that universities favor a neoliberal ideology to sexual violence prevention, focusing on top-down approaches and performance indicators rather than an intersectional framework that would better address the social structures contributing to sexual violence on campus. As a result, universities implement prevention strategies such as bystander intervention training and increased campus security, allowing them to avoid responding to ongoing racism, sexism, colonialism, classism, and ableism. These prevention strategies reinforce rape myths of 'stranger danger' and 'the racialized other', resulting in reactive measures rather than responsive ones. The observation provided by Ostridge requires further exploration through various outlets of Bacchi's work, particularly focusing on a post-structural analysis of problem representation. The importance of incorporating a post-structural analysis will be further explored in relation to sexual violence policies.

Rachel Osborne (1992) echoes much of these statements in her work, emphasizing that sexual violence policies are, “inadequate, short-sighted and ineffective as it fails to address the more fundamental issues underlying sexual harassment: the sexist, hostile and misogynist environment women inhabit in universities” (p.72). Osborne argues that the current institutional responses to sexual harassment in universities fail in three major ways: “1) the framing of sexual harassment as isolated incidents; 2) the place of mediation in sexual harassment complain procedures; 3) the use of gender-neutral language policies and procedures” (p.72). Osborne examines these three key issues through a feminist lens, addressing the ineffectiveness of sexual violence policies to protect women on campus. Linking back to Reiling et al., (2017) and Crenshaw’s (1989) understanding of intersectional patterns of gender inequality, Osborne suggests that outlooks on policies currently ignore the overall context of discrimination, power and, “decontextualize the experience from its grounding in the continuum of sexism and misogyny that women encounter on campus” (p.74). To conclude, Osborne emphasises the need for structural changes that no longer inhabit environments that allow for sexual violence to exist. Authors have demonstrated sexual violence policies inability to adequately address and prevent the ongoing and prevalent issue on post-secondary campuses.

Conclusion

Although some authors make the link between sexual violence policies and rape culture, research must build upon pre-existing ideas of rape culture on university campuses to better understand how these policies fail to support students, ultimately allowing rape culture to be sustained. This would support in reducing the gap between what is intended to happen in relation to the impact of what students’ experience. The literature provided a deeper understanding of rape culture and sexual violence policies on Canadian post-secondary campuses, which supports

this research in identifying and addressing current gaps. No study has done a comparison between universities in different contexts of rape culture. This provides a significant gap in the literature that this research aims to address by further exploring current policies and the ways in which universities choose to implement them. This will showcase the limitations of the policy in preventing rape culture as well as providing adequate care and support to students who experience sexual violence. With that, this research supports institutions with responding to disclosures and reports through an intersectional feminist approach, allowing for a more adequate response to sexual violence on campus.

Section 3: Theoretical Framework and Methodology

In this section, I discuss the theoretical framework and methodology underpinning my research, including research method and designs. The theoretical framework guiding this research is an intersectional feminist framework. I discuss the relevance of utilizing Carol Bacchi's *what's the problem represented to be (WPR)* approach through an exploratory case study of 5 Ontario universities. Moreover, I map out the process of data collection and analysis of the *Act* as well as each university. Finally, I discuss any ethical considerations that arose during my research.

Theoretical Framework

Intersectionality

My research utilizes an intersectional feminist framework. It focuses on a feminist understanding of sexual violence as described by bell hooks (2000), drawing on Kimberle Crenshaw (1989) and Patricia Hill Collins' (2019) discussion of intersectionality. To begin, hooks highlights the importance of placing sexist oppression at the center of the feminist movement, stating,

Defining feminism as a movement to end sexist oppression is crucial for the development of theory because it is a starting point indicating the direction of exploration of analysis. The foundation of future feminist struggle must be solidly based on a recognition of the need to eradicate the underlying cultural basis and causes of sexism and other forms of group oppression. (p.33)

The provided definition of feminism guides this research, as it focuses on a specific point of analysis. Rather than applying the approach of current feminism, which hooks describes as an ‘anything goes’ approach, usually implying that all women want social equality with men regardless of political perspective (p.25), the definition provided has a clear goal of ending all forms of sexist oppression. Hooks goes on to state,

Feminism is the struggle to end sexist oppression. Its aim is not to benefit solely any specific group of women, any particular race or class of women. It does not privilege women over men. It has the power to transform in a meaningful way all our lives. (p.28)

Hooks emphasizes the importance of separating the idea that feminism is about a women-centered counter-cultural movement, but rather a movement focused on women’s collective experiences. Despite this definition of feminism, hooks notes the movement does not always reflect this, as she mentions her own experiences as a Black woman involved in the feminist movement. Hooks states she is often asked which is more important: being Black or being a woman. It is this type of competitive thinking that places the feminist movement so far behind and ultimately creates a division within itself. “Most people are socialized to think in terms of opposition rather than compatibility” (p.31). Here, it is important to speak to intersectionality in conversation with the division within the feminist movement. In 1989, Crenshaw famously

coined the term intersectionality, and since then, it has been defined countless times in numerous ways. One clear example being:

Intersectionality is concerned with simultaneous intersections between aspects of social difference and identity (as related to meanings to race/ethnicity, indigeneity, gender, class, sexuality, geography, age, disability/ability, migration status, religion) and forms of systemic oppression (racism, classism, sexism, ableism, homophobia) at macro and micro levels in ways that are complex and interdependent. (Dhamoon & Hanivsky, 2011, p.16)

Similarly, Patricia Hill Collins (2019) describes intersectionality as an expansive umbrella that can develop critical social theory, while naming structural systems of power that conceal racism and sexism. Moreover, she describes intersectionality as a metaphor, meaning it provides a shortcut built on existing sensibilities to distinguish interconnections. For example:

Intersectionality as a metaphor provides a framework for drawing upon what people already know about racism to learn about sexism and vice versa. Significantly, as metaphor, intersectionality suggests that racism and sexism are connected, the first step in establishing conceptual correspondences between these two constructs. (p.30)

By utilizing intersectionality as a metaphor throughout this research, it provides “angles of vision on each system of power, how they cross and diverge from one another, as well as political possibilities that were suggested by this new analysis” (p.28). Furthermore, metaphors often provide a concrete understanding of an issue, as it can be closely related to what an individual already knows. When feminism – a movement to end sexist oppression, alongside intersectionality – a metaphor to highlight already understood conceptualizations, coincide, the

guiding framework for this research will consider the importance of addressing a cultural shift against sexual violence.

Sexual Violence

Sexual violence has been defined in numerous ways. To begin, it can be defined as, “patterned forms of interaction among class, sexuality, and gender relations that are reproduced by actors to produce structured actions and contribute to rape culture” (Ostridge et al., 2020, p.226). Roskin-Fraze (2020) echo this by stating sexual violence is an abuse of power, not sexuality. Osborne (1992) defines sexual violence as, “(1) unwanted, unsolicited sexual attention of a persistent and abusive nature; (2) sexually oriented remarks and behaviors which contribute to a negative psychological or emotional study and work environment; and (3) implied or expressed promises of reward for sexual favours” (p.72). These definitions are much different than those explored by previously mentioned literature (Sinko et al., 2021; McMahon et al., 2012), as well as Perkins & Warner’s (2017) definition, which refers to, “behaviors such as comments about a person’s body, sexual comments, sexual jokes, and continuing to ask a person out on a date after being told ‘no’” (p.237). Definitions that focus solely on the response of women are also common. DeKeseredy and Schwartz (1992), provide such an example:

Events in which the woman was certain at the time that she did not want to engage in a sexual experience and either communicated this in some way (said no, protested, said she didn’t want to, physically struggled, cried) or else was intimidated or forced. (p.6)

The definitions of sexual violence provided support the underpinning of this research. My research defines sexual violence as an abuse of power among social actors that perpetuate gender inequality, and ultimately, rape culture. This definition further solidifies the arguments provided by hooks in relation to focusing on the collective experiences of women to end sexist oppression

in conversation with the understanding of intersectionality as a metaphor to draw on already existing notions of power. While the definition focuses on the collective experiences of women, it is important to reemphasize that sexual violence is disproportionately experienced by particular groups of people, depending on their intersecting identities or perceived identities. Again, this includes disabled people, Black, Indigenous and people of color, and transgender and non-binary people (Canadian Women's Foundation, 2021). While sexual violence can, and has been defined in various ways, my research utilized the above definition developed through bell hooks (2000) understanding of sexual violence, in conversation with Crenshaw (1989) intersectional framework to analyze each policy.

Methodology

The methodology utilized throughout my research aligns with a post-structural policy analysis as developed by Carol Bacchi. This supports the research method of an exploratory case study and a research design development of 4 analysis questions. My research focuses on Carol Bacchi's approach to policy analysis, known as *what is the problem represented to be? (WPR)*. Here, Bacchi suggests that governments play a vital role in the creation of problems through the way policies are produced, rather than simply reacting to already existing problems. Put broadly, the WPR approach is:

An analytic strategy that puts in question the common view that the role of governments is to solve problems that sit outside them, waiting to be 'addressed'. Rather, it considers how governmental practices, understood broadly, produce 'problems' as particular kinds of problems. (Bacchi & Goodwin, 2016, p.14)

Through this definition, the approach aims to address what exactly is produced, how, and with what effects, with the underlying goal to make politics involved in the production practice visible

(p.14). Bacchi (2009) further explains that how ‘problems’ are represented matters. “This is because the way in which the ‘problem’ is represented carries all sorts of implications for how the issue is thought about, how people involved are treated and evoked to think about themselves” (p.1). With that,

The key term in a WPR analytic practice is problematization. The word can be used in two ways, either to signal a form of critical analysis, putting something into question, or to refer to the products of governmental practices, that is, how issues are problematized. (Bacchi et al., 2016, p.16)

Bacchi et al., (2016) refer to problematization as the conceptualization of ‘problems’, with an emphasis on how problems are constituted specifically *within policies*, essentially analyzing how problems are made. Accordingly, this research will focus specifically on how issues (sexual violence) are problematized through governmental practices (*Sexual Violence and Harassment Action Plan Act*), and how the ‘problem’ is therefore made to be a particular kind of problem within the policy. The demonstrates how the policy itself problematizes the issue (p.17), as well as how the exact goals of the WPR approach – identifying, reconstructing and interrogating problematization (p.19) – are beneficial in addressing the issue of sexual violence and its policies. This understanding of the representation of problems is significant for this research, as it addresses the ways in which sexual violence is thought of, and in turn, how policies respond to the matter, and create a particular representation of ‘the problem’. Bacchi (2009) provides six fruitful questions to guide policy analysis through the WPR approach. These questions will be used as a framework in creating similar guidelines to analyze the policies presented in this research:

1. What's the 'problem' represented to be in a specific policy?

2. What presuppositions or assumptions underlie this representation of the 'problem'?
3. How has this representation of the 'problem' come about?
4. What is left unproblematic in this problem representation? Where are the silences? Can the 'problem' be thought about differently?
5. What effects are produced by this representation of the 'problem'?
6. How/where has this representation of the 'problem' been produced, disseminated, and defended? How could it be questioned, disrupted, and replaced? (p.2)

The use of Bacchi's WPR approach supports my research in addressing how the problem of sexual violence is thought of and represented through policy.

Methods

This research utilized qualitative research methods, specifically focusing on a multiple-case study. Put broadly, Robert Yin (2004) states, "case studies are the preferred strategy when 'how' or 'why' questions are being posed, when the investigator has little control over the events, and when the focus is on a contemporary phenomenon within some real-life context" (p.1). Despite asking a 'what' question, my research focused on exploring various cases in relation to sexual violence policies, making it an exploratory case study. Furthermore, Yin (2004) argues case studies are considered the preferred method when there is a desire to understand complex social phenomena and cover contextual conditions of such. Sexual violence is more complex than socially perceived, therefore by using an exploratory case study, the complexity of sexual violence will be better understood. Moreover, a case study provided an exploratory approach to gaining concrete, in-depth knowledge about the topic. Using multiple cases for the research was useful in terms of enhancing the comparative aspect (Barbour, 2014), as it illuminated the similarities and differences between the policies, an approach that is yet to

be taken within this field of research. Case studies allow for the evaluation of real-world subjects, challenging existing problems and opening new directions for future research. Therefore, utilizing a case study method, coupled with Bacchi's WPR approach to policy analysis, allowed for the interrogation of pre-existing notions of sexual violence. Lastly, the analysis of primary data sources, including original documents such as the *Act* and each university policy provided further evaluation of sexual violence. This interpretation of sexual violence policies incorporates understanding the relationship between campus context, rape culture, sexual violence, on top of asking the question of who is *Act* intended for? By utilizing qualitative research methods, specifically focused on a multiple exploratory case study, my research supports uncovering the complexity of sexual violence and gaining a solid foundation to understanding the problem.

Research Design

In keeping with Bacchi's WPR approach, I developed the research design to identify, reconstruct, and interrogate how the problem of sexual violence is represented through the *Sexual Violence and Harassment Action Plan Act*. To do so, I developed 4 questions based on the six questions provided by the WPR approach that assisted with the problematization of the *Act* and its related policies. 5 universities were selected based on first-year residency criteria to reflect policy implementation. Lastly, utilizing these questions as a foundation for both the *Act* and the universities policy, I coded the data using deductive coding through a two-cycle coding method.

i. *Sexual Violence and Harassment Action Plan Act*

I began this research by reviewing the central policy, the *Act*, as it is the foundation for further analyzing a selection of schools. The questions I developed for the analysis of the policies were:

1. What is the policy explicitly stating? (i.e., what is the purpose of the policy?)
2. How are key terms related to sexual violence defined within the policy, including: sexual violence, survivor, complainant, respondent, and disclosure/complaint/report?
3. What is expected from each university? (i.e., what are the effects produced by the policy?)
4. How, and who, assesses the accountability of each university, if at all?

With respects to Bacchi's WPR approach, the 4 questions developed provide a foundation for which the *Act* as well as the following universities policy to be analyzed.

ii. *Universities Policy*

Next, I selected 5 universities to understand how the *Act* is implemented. I selected schools based on the number of students who live on campus in their first year, as this is when the residency rate is the highest (Queen's University, 2019; University of Toronto, 2020; University of Windsor, 2019a; Western University, 2017; York University, 2019). This also acknowledges the 'red zone', which refers to the first eight weeks of the school year; showing more than 50% of sexual assaults occur during this time (McCabe, 2018). Furthermore, the scholarly literature suggests that hookup culture, and the behaviors that perpetuate sexual violence and rape, thrive in environments such as parties in dorms and campus residences, fraternity houses, sorority houses, and bars (Giraldi et al., 2017; Reiling et al., 2017). To select these schools, I first collected the percentage of first year students living in campus residences

from all universities in Ontario from Common University Data Ontario. Several schools did not have up-to-date data available and were, therefore, excluded from the study. From there, I selected the two schools with the highest number of students living in campus residences (Queen's University, 84.30% & Western University, 78.30%), and two with the lowest (Ryerson University, 17.90% & York University, 10.50%). I then found the median of the universities to include one school within the middle (University of Toronto, St. George Campus, 50.90%). However, when that school was selected, 3 of the 5 schools would be located within Toronto. To have a broader geographic range, I replaced Ryerson University with the third smallest school in terms of students living in campus residence (University of Windsor, 20.00%). These 5 schools were used to analyze the implementation of the *Act*, covering first year residency and geographic differences.

iii. Data Coding

After selecting 5 universities, I coded each policy in relation to the 4 questions developed. All data was coded using QDA Miner Lite, a qualitative, mixed methods data collection software. I coded the policies in two cycles: attribute coding and pattern coding (Linneberg & Korsgaard, 2019). I utilized deductive coding, creating a limited number of codes from theoretical literature (p.264). In the first cycle, I coded each policy based on the above questions using the following codes: purpose, definition, effects/implementation, and assessment/supports. In the second cycle, I identified patterns across the codes and explored those patterns in a comparative nature to address the similarities and differences between universities. These methods of coding were selected because it allowed me to visually see relevant parts of each policy in relation to one another. "Coding is an approach which makes you revisit all aspects of the data you have collected, including those you may not have noticed

during the actual data collection” (Linneberg et al., p.261). This is crucial in research as it allowed me to gain a comprehensive understanding of the data in an accessible and retrievable manner. The use of two cycle coding supported remaining impartial to the data while mitigating the risk of overseeing important details. In summary, combining the WPR approach with the questions used to interrogate the policies, analyzed how the problem of sexual violence is represented, and in turn, how solutions outlined within the policy are created.

Ethical Considerations

My research did not directly include human participants, so an institutional ethics review was not necessary, however there are still important ethical concerns given the subject matter. The central ethical concern surrounds the experience of the reader. Given the content of this research, it may surface emotions and memories that resonate with the readers own individual experiences or understandings of the topic. Claire Draucker (1999) refers to this as the opening of ‘pandora’s box’ in which participants and researchers of sensitive topics evoke intense emotional reactions. This can be true for readers as well, and it was important to reflect on if information would be deemed helpful, harmful, both, or neither. Furthermore, I believe it is important to speak to any potential bias. As a student at York University, who has previously worked within multiple organizations on campus to support survivors of sexual violence, I have a pre-existing understanding of their approach to the *Act*. However, the above criteria minimized any potential bias by using the same approach for each university.

Conclusion

Throughout this section, I demonstrated the importance of utilizing an intersectional feminist framework to guide this research, as it considers the importance of addressing sexual violence through a cultural shift in attitudes and beliefs that perpetuate such violence.

Furthermore, I discussed the relevance of incorporating Carol Bacchi's WPR approach to policy analysis through an exploratory case study. The approach was also utilized for the analysis of the *Act* and each universities sexual violence policy. Finally, I concluded by outlining the key ethical considerations of my research.

Section 4: Findings and Discussion

While provincial guidelines support post-secondary institutions in addressing sexual violence, there is a considerable gap between the intention of the policy and impact on community members. The *Sexual Violence and Harassment Action Plan Act* provides each university and college in Ontario with an outline to creating their own standalone policy that will provide a guideline for the way sexual violence is to be addressed and responded to by the institutions. The *Act* provides several key sections that support the institutions in creating their own policy including preamble, application, implementation, and regulations. I have discussed each of these sections in full in response to the research question and research design questions. The key sections outlined in the *Act* have demonstrated an overall vagueness, allowing for a culture of rape to be sustained through a patchwork approach in addressing and responding to sexual violence. Through that, my post-structural policy analysis demonstrates that the *Act* and subsequent policies fail to adequately prevent and respond to sexual violence and rape culture because of its neoliberal framework and failure to address intersectionality.

Neoliberal Framework

Neoliberalism often refers to the social forms of economic and political power, a shift in power balances as well as patterns of everyday life (Albo, 2002). This imposes state restructuring that relies heavily on free market and individual responsibility (Peck & Tickell, 2002). Many neoliberal ideologies are taken up by state actors including provincial governments and post-

secondary institutions. For instance, the current premier of Ontario and leader of the Progressive Conservative Party Doug Ford has focused on creating a cost recovery market within post-secondary institutions by making critical cuts to universities revenue – a loss of \$440 million – which impacts funds for all kinds of on-campus resources (Rushowy, 2019). Furthermore, post-secondary institutions find themselves within a neoliberal framework by, “reorient[ing] themselves away from serving the needs of society, broadly speaking to focus more narrowly on serving the needs of the market” (Ross, Savage & Watson, 2020, p.227). Authors further argue that neoliberal ideologies impose on universities that they, “should operate on a cost recovery – or even for-profit – basis rather than relying on public funding through tax revenue” (p.229). As a result, the ways in which neoliberal discourse has become dominant across the sector demonstrates its influence on policy implementation, including the *Act* and the universities policy through the lack of resources for implementation and the individualization of sexual violence.

Resources for Implementation

Throughout both the *Act* and each university policy, it is evident that there is limited attention given to providing resources for implementation of education and training programs as well as dedicated response offices. This is demonstrated through faulty commitment statements. To begin, the *Act* states the following in its preamble:

The Government will not tolerate sexual violence, sexual harassment or domestic violence. Protecting all Ontarians from the devastating impact is a top Government priority and is essential for the achievement of a fair and equitable society. All Ontarians would benefit from living without the threat and experience of sexual violence, sexual

harassment, domestic violence and other forms of abuse, and all Ontarians have a role to play in stopping them. (Sexual Violence and Harassment Action Plan Act, 2016)

The purpose, as stated in the *Act*, is aimed at creating a society in which everyone is free from the threat of sexual violence, alongside maintaining a sense of responsibility of all Ontarians to stop all forms of abuse from happening. The purpose set out by the province provides a foundation for how universities are to approach their own policies and ultimately, how they will address and respond to sexual violence. As the *Act* sets the grounds for how institutions adopt their own sexual violence policies, there are many similarities within the purpose outlined by each university. For instance, most universities emphasize their commitment to maintain a safe environment free from the harms of sexual violence, focusing on creating a positive learning, living, social, recreational, and working environment (Queen's University, 2020; Western University, 2020; University of Windsor, 2019b; University of Toronto, 2021). In contrast, however, York University does not mention a "commitment to safety" within their purpose, but rather states that the policy, "affirms York University's ongoing commitment to foster a culture that helps prevent sexual violence..." (York University, 2022). Within the purpose, the focus on commitment by all universities in similar capacities suggests a dedication to a safe environment that involves an immense amount of time, reassurance, and resources. The *Act* as well as universities policy sets a framework of expectations for responses to sexual violence that would maintain such a commitment, including space and resources.

While a commitment suggests a multitude of dedication to addressing and responding to sexual violence, it is further evident through the *Act* that available resources to universities is lacking. The inability to lay out adequate resources is demonstrated through the lack of attention

provided to education and training programs. To begin, the *Act* sets out four primary areas of concern each institution must include within their policy, those being:

1. Addressing sexual violence involving students enrolled at the college or university,
2. Set out the process for how the college or university will respond to and address incidents and complaints of sexual violence involving students enrolled at the college or university, and includes the elements specified in the regulations relating to the process,
3. Address any other topics and includes any other elements required by the regulations,
4. Otherwise complies with the requirements set out in the regulations. (Sexual Violence and Harassment Action Plan Act, 2016)

Through these four areas of concern, the *Act* provides little direction in setting out expectations for educating and training community members, leaving the responsibility to the universities to decide what is included in these programs, if any at all. While the *Act* does not state specific education expectations, each university, however, provides a section within their policy dedicated to the topic. The educational goals outlined by each university highlight slight differences but speak to the same overall purpose of having available education and training programs for all community members, regardless of what that might include. Queen's University (2020) and the University of Toronto (2021) appear to focus more on a larger context of training developed by experts that should be available for all university community members. In contrast, York University (2022) and Western University (2020) are the only schools that specifically mention their education and training programs being led through an intersectional approach. Both institutions also mention rape culture as an important topic for discussion, with the focus on programming aimed at addressing societal contributors to sexual violence. It is worth mentioning that although Queen's University (2020) briefly mentions teaching the intersections of sexual

violence, it does not appear to capture taking an intersectional approach. Lastly, the University of Windsor (2019b) is the only school that does not mention any information regarding the content of their education and training programs, but rather places responsibility of each individual to do their part in building a safer community. The lack of resources available to adequately introduce education and training resources for university community members further demonstrates the limits of commitment statements.

Despite each school having some plan for education and training, the difference among them do not help create a standardized approach to addressing and responding to sexual violence, specifically, creating a plan in which all post-secondary students are receiving similar information. Without clear guidelines on set curriculum, it is up to the schools to decide what should be taught and what content receives prioritization. While some institutions appear to have taken the initiative of including an intersectional approach that aims at challenging rape culture, such as Western University (2020) and York University (2022), it leaves other schools like the University of Windsor (2019b) with an individualized solution. Such approach supports the view that sexual violence is an individualized problem, rather than a larger societal issue that deserves an informed and standardized response. Furthermore, all schools fail to provide adequate detail into *how* these trainings will be delivered as well as *what* specifically will be included. While there is mention from some universities including Queen's University and Western University of topics such as consent and healthy relationships, there is no insight into exactly what this will look like. Furthermore, institutions such as Queen's University, Western University and the University of Toronto are also focused on teaching bystander intervention and responding to disclosures through the policy which emphasises a responsive approach to addressing sexual violence. Bystander approaches place the responsibility on the individual to act and response to

incidents they believe are or would lead to sexual violence. While it is important students recognize and challenge attitudes and behaviours that perpetuate sexual violence, acknowledge their surroundings, and learn to respond to them, it is just as important that students are unlearning those same attitudes and behaviours so that acts of sexual violence are not committed in the first place. Without further information as to what institutions intend to focus their education and training programs on, it is unclear to what extent that will do in preventing sexual violence rather than simply responding. Finally, there is no expectation that the trainings provided by any university are currently mandatory. Even while most policies confirm that education and training programs will be available to all members of the university community, the policies do not suggest there is any obligation to complete them. If trainings are not currently mandatory for students, staff, and faculty, it does not prepare the community to address and respond to sexual violence the way in which policies make it seem. The lack of guidance provided by the *Act* has resulted in a contrasting approach to education and training programs across the sector, as each institution takes a distinct perspective in creating programs that overall have no indication that they are currently mandatory.

Also excluded from the *Act* is the mention of an allocated budget for these programs, suggesting there may be no dedicated response to sexual violence. This includes specific responding bodies that should be staffed with experienced personnel who are able to offer survivors a safe and grounding space in addition to providing adequate resources that are directed to their specific needs. It is worth noting again the \$440 million loss in revenue to universities and colleges due to Premier Doug Ford's 2019 plan of cutting tuition for post-secondary students by 10 per cent as well as removing mandatory fees as apart of tuition costs (Rushowy, 2019). With that, it was the universities responsibility to determine what changes are

required under a reduced budget. These cuts coincide with the rollout of the *Act*, impacting universities abilities to properly introduce new supports and services during a time where not only there were no additional funds to support the initiative, but also universities were now facing extreme funding constraints. With less funding as well as no allocated budget, it forces universities to either rely on current supports and services already in place that may not be equipped to address sexual violence, or propose their own allocated budget that is not required by the *Act*. Despite some institutions providing a detailed understanding of what education and training programs are to include, it is purely assumptions-based that these programs will be able to support their purpose and guiding principles without a budget, as policy implementation without adequate funding is useless. Much of the patchwork throughout the universities response to education and training programming can be contributed to the fact that the *Act* does not require institutions to allocate a budget, resulting in an inequitable approach to creating and implementing a standardized education program. The absence of funding alongside minimal information provided to support creating education and training programs act as the foundation for each university and has ultimately resulted in a patchwork approach to educating post-secondary communities on sexual violence.

Another case in which universities have adopted their own approach to addressing and responding to sexual violence is through the primary bodies responsible for responding to and handling disclosures and/or complaints of sexual violence. Again, the *Act* provides institutions with minimal guidance into how they should respond to and handle incidents of sexual violence. Each institution has taken various approaches to creating a responding body for sexual violence. For instance, both the University of Toronto (2021) and York University (2022) have created specific centers that are responsible for responding to disclosures and complaints, facilitating

supports, services and accommodations as well as provide any education and training to members of the university community. This has resulted in a centralized hub staffed with multiple trained professionals for the university community to have access to. On the other hand, however, most universities do not have a dedicated center for the community. Rather Queen's University, the University of Windsor and Western University utilize an already existing department to handle disclosures and/or complaints, with a specific individual within those departments to provide information on supports and services. At the University of Windsor, this designated person is also responsible for formal complaint records received from community members. Community members are to make formal complaints through this worker, or through Campus Community Police. At Queen's University and Western University, students are to make formal complaints to the appropriate student office as stated within the policy. When, where, and with whom survivors decide to share their stories with can mark an integral part of their healing process. It is for this reason that makes responding to sexual violence such an intricate process that requires a detailed outline for responding within a dedicated space. The differences in responding offices across the sector highlights the lack of structure provided by the *Act*, further showing little attention given to implementation of resources.

Regardless of who is responding to disclosures and/or complaints of sexual violence, the supports and services available are heavily focused on *post* violence. While it is both important and necessary to include a detailed list of supports and services available for survivors, the lack of attention given to addressing sexual violence before it happens illustrates a gap in the understanding of sexual violence. This can be seen throughout the universities policy, as most attention is given to responding to the violence, rather than focusing on preventing it from happening. Responses are aimed at events after they have taken place and finding solutions

through what has already happened. This kind of approach views sexual violence as a passive crime, a crime in which is committed against someone, but not committed by someone. Without a sufficient understanding of sexual violence, supports and service will continue to not adequately prevent sexual violence, but rather react to incidents after they have already taken place.

It is evident throughout both the *Act* and the universities policy, there is limited attention given to providing and implementing resources that would adequately address and respond to sexual violence. Through a faulty commitment statement provided by the *Act* that is then echoed through the universities policy, demonstrates an unsound understanding of sexual violence in various capacities including, limited detail given to education and training programs, differences in responding bodies, services focused on *post* violence response, which is all coupled with no allocated funding.

Individualization

Much of the language used throughout the *Act* and accordingly throughout the universities policy, reflect an individualized approach to addressing and responding to sexual violence. This is reflected through how responsibility is implied as well as how sexual violence is described. First, to further explore the purpose provided through the *Act*, it implies a sense of responsibility on “all Ontarians”. While this language suggests a sense of collectivism, it does the opposite by imposing responsibility onto, quite literally, all Ontarians. In this matter, “all Ontarians” includes post-secondary institutions to take up the responsibility of addressing and responding to sexual violence. When the *Act* is taken up by the universities through their policy, the institutions further remove responsibility from themselves, and onto individual community members. The neoliberal ideology of individualism taken up by the *Act* suggests that it is up to

individuals to understand, recognize and then acknowledge and respond to sexual violence within the scope of their daily lives, resulting in both bodies negating social responsibility to adequately address and respond to sexual violence. This narrative further assumes dangerous rape myths of sexual violence, specifically surrounding victim blaming narratives such as: ‘she was asking for it’, ‘it wasn’t really rape’, ‘he didn’t mean to’, ‘she’s lying’, ‘she just regrets having sex with him’, ‘only bad girls get raped’, ‘boys will be boys’, ‘she was confusing him’, ‘he paid for dinner so she owed him’, ‘it wasn’t rape if she knows him’ (Reiling et al., 2017; Burt 1980; Sinko et al., 2021, Strain et al., 2016). The overall sense of individualism suggested with the language used throughout the *Act* as well as the universities policy demonstrates the ways in which sexual violence is characterized as an individual problem. Moreover, while statements provided by the *Act* as well as the universities view sexual violence as a ‘serious issue’, that does not hold space for accountability of actions as it focuses on downloading responsibility onto individuals who have experienced sexual violence. It implies that survivors of sexual violence themselves are the problem, rather than the attitudes and beliefs that are perpetuated by people and society at large. Focusing on the violence after the fact rather than preventive measures of addressing the attitudes and beliefs that encourage sexual violence ultimately support normalizing behaviours that are acted upon by gender stereotypes and sexism (McMahon et al., 2012). The statements each university provides through their purpose does not support a comprehensive understanding of sexual violence as it does not reflect the differences in experiences as well as removes accountability from those who perpetrate sexual violence. The emphasis on an individualistic understanding of sexual violence reflects a disregard for the societal influences that perpetuate such violence, highlighting a neoliberal approach to responses.

The process of downloading responsibility onto individuals further promotes a culture of rape through the lack of attention given to each universities guiding principles. Most universities provide within their policy a set of guiding principles that are to support their commitment to safety as well as build upon the universities approach to addressing and responding to sexual violence. The guiding principles provided by the universities again highlight an unsound understanding of sexual violence by failing to acknowledge a culture of rape. This leads to their guiding principles being informed by victim blaming responses rather than perpetrator actions. Each university, apart from the University of Windsor, who does not have specific principles outlined in their policy, follow a similar pattern of respected topics. Two schools focus on centering services for survivors after they experience sexual violence. This includes outlining how survivors should be treated, provide accommodations as well as information to respondents about supports (Queen's University, 2020; University of Toronto, 2021), and noting, "complainants will not be asked to repeat their accounts more than is necessary for the implementation of this Policy" (University of Toronto, 2021). In contrast, two schools focus their guiding principles on an intersectional approach to addressing and responding to sexual violence. Both Western University (2020) and York University (2022) outline the recognition of individuals experiences of sexual violence that are influenced by intersectional aspects of their identity and note how this may also create barriers to disclosing, reporting as well as seeking supports. It is worth noting that York University mentions the impact rape culture has on society, stating it will, "work collaboratively with its community to develop educational programs around this serious systemic issue" (York University, 2022). The language used throughout the universities guiding principles promotes a culture of rape through the downloading of individual responsibly onto university community members, as well as limited guiding principles.

While there is limited mention of rape culture among all universities, the similarity among the guiding principles highlights an overall misunderstanding of sexual violence. Overall, no information is provided as to how rape culture will be addressed and prevented on campus. Rape culture plays a significant role in creating an environment where sexual violence is prevalent and encouraged through attitudes and beliefs that often normalize, trivialize, and condone sexual violence (Giraldi et al., 2017, Strain et al., 2016). Without universities acknowledging and addressing this, the guiding principles aimed at supporting survivors again fail to provide an adequate understanding of the problem. While both York University (2022) and Western University (2020) begin to acknowledge the ways in which sexual violence is experienced by individuals differently depending on their identity or perceived identity, it is important that this approach to addressing and responding to sexual violence is carried throughout all aspects of the policy and is echoed across the sector. It would be beneficial if the requirements outlined by the *Act* provided this same acknowledgement, as it would encourage each university to implement similar approaches to their own policy. Again, a culture of rape is further demonstrated with the language used throughout the policies.

A lack of guiding principles also demonstrates failure to address rape culture on campus. Both the University of Windsor and the University of Toronto give little attention to their guiding principles, which only further exemplifies this case, demonstrating a deeper lack of understanding in both preventing sexual violence as well as providing support to survivors. For example, the University of Toronto (2021) mentioning individuals who experience sexual violence only needing to repeat their accounts as necessary for the policy highlights flaws in the way sexual violence, and the trauma associated with it, is thought of. ‘More than necessary’ does not specifically account for what is considered necessary. The framing used within the policy

suggests an individual may have to retell their story multiple times, to multiple people if they deem it to be necessary. This type of vagueness alone demonstrates a lack of respect for survivors who come forward with a disclosure, despite universities stating survivors are to be treated with dignity, respect, and compassion. These further play heavily into rape myths, as it reinforces unreasonable expectations of how survivors of sexual violence should respond (Haskell & Randall, 2019), altering the ways in which those who respond to disclosures interact with survivors. The lack of attention to rape culture throughout the guiding principles highlights the gaps to which universities are prepared to address and respond to sexual violence.

Lastly, another way in which a neoliberal ideology has promoted an individualized representation of the problem is through a focus on security responses as a form of prevention. The University of Windsor (2019b) is one of the universities that relies on a system of disclosing and reporting experiences of sexual violence to Campus Community Police. The type of response provided by the University of Windsor illustrates yet another way in which a neoliberal framework negates responsibility downward onto the individual using already existing departments. The use of campus police further highlights the ways a neoliberal ideology has been taken up through university responses.

The neoliberal ideology that is utilized throughout the *Act* and subsequent policies demonstrates a lack of planning surrounding implementation for resources as well as the individualized framing of sexual violence. Through a faulty commitment statement provided by the *Act*, which is echoed through the universities policy demonstrates a lack of resources available for mandatory education and training programs, limited standardized responding bodies as well as an overall response that focuses on *post* violence. Furthermore, the language used throughout the *Act* demonstrates a process of downloading responsibility onto individuals,

framing sexual violence as an individual problem. Little attention is given the impact rape culture has on sexual violence and the trauma associated with it. The overall lack of attention given to the varying aspects of addressing and responding to sexual violence highlight the neoliberal ideology taken up throughout universities policy.

Lack of Intersectionality

Throughout the *Act* as well as each universities policy, there is an overall failure to address intersectionality throughout each section. To begin, the purpose provided in the *Act* fails to understand sexual violence from an intersectional approach, acknowledging the ways that sexual violence is experienced differs greatly depending on the individual person, and that threats to an individual's safety from harm are not all the same. Survivors of sexual violence often experience a level of vulnerabilities because of the intersections between their unique identities or perceived identities and forms oppression that exist in part of a larger social context (Dhamoon et al., 2011). These intersections impact the ways sexual violence is experienced as they often reflect a much larger societal issue of sexism, racism, colonialism, ableism, and homophobia alongside an abuse of power (Ostridge et al., 2020; Roskin-Frazee, 2020). Reflecting on this knowledge of sexual violence through an intersectional approach recognizes that different things, such as unique identities matter more at various times. It is important to acknowledge and focus on the relevance of differences when addressing and responding to sexual violence rather than simply naming such differences in an attempt to reclaim innocence. In this section, I demonstrate that the lack of an intersectional approach is harmful to survivors of sexual violence by examining universities' expressed commitment to safety, as well as education and training programs.

The failure to incorporate an intersectional analysis can be seen in the universities commitment to safety that was earlier discussed. Missing this critical understanding of sexual violence within the purpose as well as reflected throughout the policy is dangerous, as it replicates itself throughout each universities policy. Doing so leaves responsibility up to each institution to go beyond the understanding provided by the *Act* to provide an understanding of sexual violence that acknowledges and addresses the vast differences in experiences and works to create a campus space where sexual violence is not tolerated. Furthermore, what is excluded within the *Act* is *how* or *what* safety will include. There is no insight into what a safe environment for each university community member will include, or any acknowledgement that safety and access to such environment, is different for everyone. Again, because sexual violence impacts everyone differently, making a commitment to safety without accounting for the differences involved in creating such an environment through an intersectional approach renders the commitment useless. The commitment does not take into consideration societal oppressors such as cisheterosexism, racism, classism, and ableism, that contribute to a lack of safety. Creating a commitment to safety through a one-size-fits-all approach erases the voices of those who sexual violence disproportionately effects including disabled people, Black, Indigenous, and people of color, transgender, and non-binary people (Canadian Women's Foundation, 2021). While some policies mention "fostering a culture of consent" (York University, 2022), or place emphasis on "believing and respecting all individuals who identify their experience as sexual misconduct..." (University of Windsor, 2019b), it is inaccurate to say these statements suggest a commitment to a safer environment without the acknowledgment of what that means through an intersectional approach. The disregard for differences in safety ultimately fail to acknowledge

the vastly different individualized experiences of sexual violence, fail to understand violence as a whole and are, therefore, harmful to survivors.

Education and training programs also lack an intersectional approach to implementation. While two schools did include the mention of an intersectional approach (Western University, York University), it is vital this is mandatory throughout all institutions, as without such approach, a critical understanding of sexual violence misguides education and training materials. Without an intersectional approach, education programs will fail to adequately address the multiple ways in which sexual violence is perpetuated through both social differences in identity as well as forms of systemic oppression (Dhamoon et al., 2011). Despite 2 universities already utilizing an intersectional approach, it does not take away from the fact that more work is required from all institutions, regardless of their current response. Each institution must take up an intersectional approach to their prevention and responsive measures in order to maintain a comprehensive understanding of sexual violence across the sector. The mention of intersectionality does suggest there is already a foundational understanding of sexual violence that is beginning to move away from focusing on responses measures, however, institutions might not currently have the capacity to create meaningful change through this framework without a strong set of resources to support these initiatives. Utilizing such approach supports a comprehensive understanding of sexual violence that can guide education and training programs and will avoid a patchwork approach to addressing and responding to sexual violence.

The lack of attention given to addressing and responding to sexual violence through the *Act* as well as each universities policy demonstrates an unsound understanding of sexual violence as there is little detail provided through each section of the policy in respects to intersectionality. This is heavily emphasised through the universities commitment to safety, where differences in

safety as well as a lack of intersectional framing surrounding education and training programs are neglected.

Conclusion

The *Sexual Violence and Harassment Action Plan Act* has failed to create a foundation for addressing and responding to sexual violence and consequently, impacting how universities adopt their own sexual violence policy. Throughout the key pieces provided by the *Act* including preamble, application, implementation, and regulations, a sound understanding of sexual violence is absent. This has impacted the ways universities address their purpose, guiding principles, education and training as well as their responding bodies. Because there is a lack of direction and resources provided in the *Act*, each universities policy lack of comprehensive grounding to address and respond to sexual violence and rape culture due to its neoliberal framework and failure to address intersectionality.

Section 5: Conclusion

Through an exploratory case study of the *Sexual Violence and Harassment Action Plan Act* and 5 Ontario universities sexual violence policies, I demonstrated not only what is missing from the *Act*, but also its failure to interrupt the perpetuation of rape culture on post-secondary campuses. Utilizing an intersectional feminist framework, I examined: what accounts for different campus contexts in relation to sexual violence policies and rape culture if publicly funded universities in Ontario are all mandated by similar policies?

My post-structural analysis of the *Act* and subsequent policies highlight the inability adequately prevent and respond to sexual violence and rape culture because of the neoliberal framework and failure to address intersectionality. The neoliberal ideology taken up by the *Act*

impact the ways resources are implemented as well as the individualization of sexual violence, which has ultimately perpetuated rape culture on post-secondary campuses. For instances, while all universities provide within their policy a commitment to safety that replicates the purpose as stated by the *Act*, there are few resources given to support such a dedicated response. More specifically, no school mentions the use of an allocated budget to introduce education and training programs. With that, only 2 of the 5 schools have created a dedicated center to provide supports and services to the university community. The language used throughout both the *Act* and the universities policy creates a sense of individualization of sexual violence by removing responsibility from perpetrators and onto survivors of sexual violence as well as the community at large to intervene. This is done by the way sexual violence is summed up to be a ‘serious issue’ that requires “all Ontarians” to do their part in prevention. The process of downloading responsibility onto individuals further promotes a culture of rape as there is lack of attention given to the societal factors that perpetuate sexual violence. The overall lack of understanding of sexual violence throughout the *Act* and the universities policy can be ascribed to a failure to acknowledge intersectionality and the diversity in survivor’s experiences of sexual violence. Overall, the policies fail both in their commitment to safety as well as their education and training goals to provide a contextual understanding of sexual violence through an intersectional framework that would address and acknowledge the differences in experiences. This has resulted in vastly different approaches taken across the sector. It is through a neoliberal framework and the disregard of intersectionality that has resulted in the universities failure to adequately prevent and respond to sexual violence and rape culture.

Contributions to Literature

Much of the findings I have presented support the existing scholarly literature in identifying key gaps within sexual violence through policy response. To revisit, Marques et al., (2020) explore the notion of institutional betrayal felt among post-secondary students in relation to lack of reporting and utilizing services. Institutional betrayal coincides with my analysis on commitments to safety as it disregards the difference of memberships in oppressed groups which can cause an overall lack of trust at an institutional level. Furthermore, Ostridge (2020) argued universities favor a neoliberal undertaking of sexual violence prevention, which further supports my findings of the overall neoliberal approach taken up by the *Act* and universities policy. The use of a neoliberal framework, as demonstrated by Ostridge (2020) removes the responsibility of the universities to response to systemic issues of sexism, racism, colonialism, and homophobia. This analysis is echoed throughout my findings, as it is evident that a neoliberal ideology is concentrated in response rather than prevention. Lastly, the work of Osborne (1992) highlights the overall ineffectiveness of sexual violence responses to protect university students on campus. In comparison, my research explores the concept of individualization as a barrier to creating support and services for survivors while also challenging the narrative of sexual violence that would foster an environment where it no longer exists. The current scholarly literature is further exemplified through my findings of key gaps within sexual violence policies.

While my research aligns with the work of existing scholarly literature, it contributes to helping challenge and change the narrative of sexual violence. It provides a new perspective into policy implementation and limitations that have perpetuated and sustained a culture of rape despite policies efforts. It offers a comparison between universities to highlight the gaps across the sector, and the work that is still needed to be done to provide sufficient supports on university

campuses. My research joins an already lengthy list of scholars and activists who are doing the work to support challenging the current narrative of sexual violence. With that, my research contributes to the journey learning and unlearning for both myself and those who engage with this research. Most importantly, my research acknowledges the importance of taking up an intersectional approach in policy implementation and analysis. Including an intersectional approach contributes to a foundational understanding of sexual violence that recognizes the diversity in survivor's experiences and the vulnerabilities faced due to intersecting systems of oppression. With that, my research contributes to recognizing the importance of including fluid intersectionality in all aspects of the work where differences are acknowledged and focused on when addressing and responding to sexual violence. Lastly, my research can support institutions in adequately creating a space in which sexual violence is responded to through an intersectional lens – an integral piece is supporting a survivor's journey of healing. My research supports many scholars' previous findings; nevertheless, it brings its own contributions of supporting learning/unlearning as well as the importance of creating policies from an intersectional perspective.

Lastly, while this research contributes to the conversation of sexual violence policies, there are several limitations to this study. My research only reflects a small sample of post-secondary institutions, examining 5 of 23 universities in Ontario. Therefore, it may not address the broader approach adopted within the sector. While there are similarities between all the universities analyzed throughout my research, it cannot be assumed that these findings are generalizable because of the small sample size. Furthermore, my research excludes colleges which also must implement their own standalone sexual violence policy as mandated by the *Act* and may respond much differently than universities. Importantly, my post-structural policy

analysis only highlights a margin of the ways in which the *Act* is implemented on campus because of its textual focus. My research does not include to the personal experiences of university community members who are impacted by the policy. Including such perspective would provide further understanding about how policies are implemented, specifically how supports and services are experienced by those accessing them. Further research is needed to provide of full scope of the limitations of the *Act* as well as its impact on survivors of sexual violence within post-secondary institutions.

Implications for Social Work

The ways in which this research supports implications for social work can be seen both within practice as well as theory with regards to addressing and responding to sexual violence. On an individual level, this research supports a process of learning and unlearning. With that, my own understanding of sexual violence is one that I can utilize within the field to challenge assumptions when they arise, incorporating an intersectional lens that highlights much larger societal oppressors that contribute to individual's experiences of sexual violence. Put broadly, the field of social work plays a critical role in enacting policies. It is important social workers are included in the development and implementation of policies that ultimately work towards fostering an environment in which attitudes and beliefs that perpetuate sexual violence no longer exist. Moreover, social workers have an important role in challenging current narratives surrounding sexual violence and incorporating an intersectional approach to their response. The implications for social work practice and theory are relevant in addressing and responding to sexual violence.

Recommendations

Sexual violence is and will, unfortunately, continue to be a pervasive issue impacting not only university students but also society. Throughout this research, I began to appreciate both how much work has already gone into dismantling the societal oppressors that contribute to sexual violence, and how much work is still needed. With that, I present 6 key recommendations based on my findings – 3 findings for policy implementation, and 3 for universities responses.

i. Recommendations for Policy Implementation

1. Engage with an intersectional perspective: future policy changes need to be developed from an intersectional framework. As previously mentioned, an intersectional approach to policy implementation and analysis provides deeper awareness into how experiences of sexual violence are vastly different because of survivor's identities or perceived identities that often coincide with intersecting systems of power and control. Taking up an understanding of sexual violence through an intersectional framework will dismantle the current neoliberal individualized approach.
2. Reframe sexual violence: aligned with the use of an intersectional approach, sexual violence needs to be understood as a societal issue, not an individual one. In this manner, utilizing bell hooks feminist understanding of sexist oppression as based on solidarity (hooks, 2000) is vital as it emphasizes a cultural shift in meaningful ways for all members of oppressed groups.
3. Create consistency: this new founded understanding of sexual violence must be coupled with a comprehensive and consistent approach across the sector. Clear guidelines set out in policy can create a sense of collectivism in giving space to

addressing sexual violence as a societal issue rather than an individual one. This can also be done between universities as well through inter-campus dialogue, to foster a universal approach to addressing and responding to sexual violence.

ii. *Recommendations for University Responses*

1. **Make trainings mandatory:** universities have the power to create Senate policies that impact registration status of students. Therefore, trainings on sexual violence can become mandatory for students to complete before enrolling in classes. Universities can also mandate that courses are revisited accordingly. Furthermore, trainings for staff and faculty should also be implemented in part of contractual obligations.
2. **Be clear and transparent:** while there are many indications of available supports and services for university community members throughout the policies, they are vague and lack crucial details. It is important that universities create policies that are accessible to all university community members, meaning using language that is understandable to its audience as well as detailing exactly what supports and services will include, where to access them and how disclosures and complaints will be addressed including involvement of specific individuals and timelines.
3. **Hold individuals accountable:** alongside transparency, it is important that processes for holding individuals accountable are outlined and followed. Universities processes can take a similar approach to that of academic honesty, for example, as it clearly outlines principles of guidance and consequences when those principles are violated.

The recommendations provided support changes to both policy implementation and university responses. Policies should engage with an intersectional approach, reframe sexual violence, as well as create and maintain consistency across the sector. Doing so will allow for a standardized approach to addressing and responding to sexual violence. Furthermore, on an institutional level, universities should make trainings on sexual violence and related material mandatory for all students, staff, and faculty. Universities should be clear and transparent in their messaging including procedures and timelines, individuals involved, and expectations surrounding supports and services, while also holding individuals accountable for their actions. Doing so would encourage universities to maintain responsibility of both providing support services and creating judicial fairness.

Conclusion

This post-structural policy analysis uncovered the gaps in the *Sexual Violence and Harassment Action Plan Act* and subsequent policies using an exploratory case study of 5 Ontario universities. Utilizing an intersectional feminist framework, my research answered what accounts for different campus contexts in relation to sexual violence and rape culture if publicly funded universities in Ontario are all mandated by similar policies? Current literature addresses gaps within the policy by highlighting the failure to incorporate critical perspectives into sexual violence including both a feminist and intersectional lens. Furthermore, there is a lack of attention given to rape culture in relation to the persistent threat of sexual violence on post-secondary campuses. That said, the findings demonstrate the *Act*, and each universities policy, has failed to adequately prevent and respond to sexual violence and rape culture because of their neoliberal framing and lack of intersectional approaches. It is critical that policies aimed at addressing and responding to societal issues such as sexual violence are incorporating an

intersectional approach that frames sexual violence as more than an individual issue. Policies must be consistent across the sector to maintain informed and equitable responses. Furthermore, universities must work within their scope to create supports and services that are transparent for survivors and, at the same time, hold individuals accountable for their actions.

While much work surrounding dismantling harmful attitudes and beliefs has been established, there is still far more work to be done. The present never-ending uphill battle of challenging sexist oppression in all personal, social, and political spheres is one that requires constant reflection through learning and unlearning. Completing this research has been both rewarding and defeating as I reflect on my small but essential role I hold within the field while at the same time contributing to my own learning and unlearning. As I conclude my research, I acknowledge that this not the beginning of ending sexist oppression, and it is certainly not the end.

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