



THE UNIVERSITY OF BRITISH COLUMBIA

Independent Investigations Office

THE INDEPENDENT INVESTIGATIONS OFFICE AT UBC

IMPARTIAL. INDEPENDENT. TRAUMA-INFORMED.

Who We Are

The Independent Investigations Office (IIO) is a newly created office serving both UBC Vancouver and UBC Okanagan. The IIO is dedicated to receiving and responding to complaints of sexual assault, sexual misconduct, discrimination and harassment under Policy 131 and Policy 3. The IIO is committed to a trauma-informed investigation process that is fair, impartial, and respects the rights of all parties.

IMPARTIAL

The IIO is an impartial office committed to ensuring that everyone's rights are respected. We do not advocate for the complainant or the respondent. However, we offer a fair, respectful, and unbiased approach to all parties to an investigation or complaint.

INDEPENDENT

The IIO is an investigation and advisory office which serves faculty, staff, and students. We do not provide support services or offer legal advice to any of the parties inclusive of complainants, respondents, or witnesses.

TRAUMA-INFORMED

The IIO only utilizes trauma-informed trained investigators. Parties to an investigation can expect respectful engagement and not interrogation. Evidence is assessed and findings of fact are made with knowledge and understanding of the impacts that trauma can have on memory, behaviour, and communication.

HOW TO REPORT SEXUAL MISCONDUCT

Information for Complainants

If a complainant (the person disclosing their experience of misconduct) wants to submit a report to the IIO, they have options.

1. **Report directly to the IIO** by filling by out the complaint form at investigationoffice.ubc.ca or by emailing our office at director.of.investigations@ubc.ca
2. **Seek information on reporting sexual misconduct from:**

Vancouver

- The Sexual Violence Prevention and Response Office (SVPRO)
<https://svpro.ubc.ca>
- The Sexual Assault Support Centre (SASC)
<http://amssasc.ca>
- UBC Campus Security
<https://security.ubc.ca>
- UBC Human Resources
<https://hr.ubc.ca>

Okanagan

- The Sexual Violence Prevention and Response Office (SVPRO)
<https://svpro.ok.ubc.ca>
- Health and Wellness Services
<https://students.ok.ubc.ca/health-wellness/welcome.html>
- UBC Human Resources
<https://hr.ok.ubc.ca>
- UBC Campus Security
<https://security.ok.ubc.ca>

The complainant will be asked who, what, where and when the sexual misconduct took place.

In some cases, if the complainant does not want to report, a third party that is aware of the conduct and is concerned about safety issues or predatory behaviours can explore the third-party option by calling or emailing the IIO to discuss their concerns and learn more about Third-Party Allegations.

INFORMATION FOR UBC STAFF AND FACULTY

Staff and faculty members often receive disclosures of sexual misconduct, harassment, or discrimination. It is important for staff and faculty members to respond appropriately and fairly, and to ensure that due process is afforded to both the complainant and the respondent.

What Is Due process and Procedural Fairness?

Due process means that steps must be taken before a Respondent is subject to restrictions or discipline as a result of a complaint.

Procedural fairness means that each step must be done in fairness, transparency and impartiality to both the Complainant and the Respondent.

To withhold from anyone these components could compromise campus safety, and may also lead to adverse legal and reputational implications for UBC which, in turn, may negatively impact the working and learning environment for all UBC community members.

What You Need to Know About “Consent”

Consent **cannot** be obtained in circumstances where an individual is induced to engage in the activity by someone exercising a position of trust, power, or authority.

Sexual relationships between supervisors and subordinates such as a faculty member and student can potentially trigger an investigation under Policy 131.

How to Respond to Disclosures

If you receive a disclosure of sexual violence or harassment, ask the complainant what they want you to do with the information they have disclosed.

- If the complainant wants to report, refer them to the IIO. The IIO website contains the form which the complainant can fill out to file a report.
- If the complainant wants to be accommodated, advise them there are some accommodations that can be made without filing a formal complaint. If you do not know this process, please contact the SVPRO, SASC, or your administrative head of unit.
- If the complainant requests access to support services, refer them to the SVPRO, SASC, or UBC's Health and Wellness service.
- If you feel uncomfortable with the disclosure you have received, contact the SVPRO or IIO for assistance without revealing the identity of the complainant.
- If the complainant does not want to report but the disclosure causes you to be concerned about personal or public safety risks, contact the IIO, Campus Security, or the SVPRO for assistance and information.

For complaints related to discrimination or harassment under Policy 3 please contact UBC's Human Rights Advisor Roshni Narain at humanrights.advisor@ubc.ca or 604-827-2209

"Reporting" vs "Disclosing"

Disclosing is sharing an experience of sexual assault, sexual harassment or other sexual misconduct with a trusted individual.

Reporting is submitting a written complaint of sexual misconduct to the Independent Investigations Office, who will then take action after first consulting with you, the complainant.

SUPPORT

"Nothing, I just want you to listen."

- Actively listen
- Keep the information confidential
- Document for statistical purposes
- Refer to SVPRO for support

REPORT

"I want UBC to do something about this. I want to file a complaint."

- Refer to the IIO for information about reporting and the investigation process
- Refer to the IIO website for the PDF complaint form

ACCOMMODATE

"I want to be moved to another class / office / residence to get away from them."

- Advise that accommodations can be made without filing a formal complaint
- Contact SVPRO, your Administrative Head of Unit, or Human Resources to assist with arranging accommodations

WHAT TO EXPECT FROM THE IIO

Investigations

Everyone can expect an investigation to be conducted by an independent, impartial and trauma-informed investigator, who will produce an Investigative Report within 60 days from the date they are assigned, subject to exceptional circumstances.

COMPLAINANTS CAN EXPECT

To be informed:

- That their complaint will be responded to by the IIO in a timely manner;
- That, if accepted, their complaint will be referred to an investigator; and
- That they will be offered the opportunity to detail their experience with an impartial, trauma-informed and compassionate investigator.

To be supported by the SVPRO or SASC:

- They will be offered the opportunity to have a support person or representative in attendance at any meetings with the investigator; and
- They will routinely be reminded that support is available to them at UBC.

To ask questions:

- That they can submit questions to be asked of the Respondent or witnesses; however, discretion remains with the investigator in deciding whether to ask those questions.

To receive a copy of the Investigation Report.

Alternative Dispute Resolution

While in some situations investigations are necessary, the parties involved in a report may mutually agree that an alternative, informal process is more appropriate. Subject to Director of Investigations approval, an alternative dispute resolution (ADR) process may be pursued where all parties voluntarily participate.

If you have questions about when an alternative dispute process may be pursued please contact the Director of Investigations.

RESPONDENTS CAN EXPECT

To receive a copy of the complaint brought against them, which identifies:

- Who their accuser is;
- What they are being accused of; and
- Which policy and provision(s) they are alleged to have breached.

To be informed that:

- There are options in how to respond to a complaint of sexual misconduct;
- They are also entitled to have a support person or representative present at any interview with an investigator, should the matter proceed to investigation;
- That they will also be treated in a fair, impartial, trauma-informed manner.

To be able to:

- Submit a written Response to the Report, which may include a list of potential witnesses, relevant documents or social media communications; and
- Submit questions to be asked of the Complainant or witnesses; however, discretion remains with the investigator in deciding whether to ask those questions.

To receive a copy of the Investigation Report.

Respondents can receive free guidance and support from:

- The AMS Advocacy Office at advocate@ams.ubc.ca
- The Office of the Ombudsperson for Students <https://ombudsoffice.ubc.ca/contact-us/>