

Not Just A Bystander Podcast

[Start of recorded material 00:00:00]

Heidi: Hello, and welcome to this Canadian Bar Association podcast. Sexual harassment and sexual assault are happening throughout Canada. Recent high-profile cases and media stories involving Jian Ghomeshi, Bill Cosby, the CBC, Canadian Parliament, and various universities and sports franchises have brought the far-reaching implications of sexual harassment and sexual assault into clear view for many Canadians. Sexual harassment and sexual assault are complex problems, not only in our legal system but in our communities as a whole. Finding solutions means gaining a deeper understanding of the legalities, as well as how society as a whole contributes at a foundational level.

This podcast is being presented by the following sections of the Canadian Bar Association: the Women Lawyers' Forum, the Equality Committee, Sexual Orientation and Gender Identity Forum, the Canadian Corporate Counsel Association, the Military Law Section, the Labor and Employment Law Section, and the Civil Litigation Section.

In 2014, the Women Lawyers Forum began the #WriteYourWrong campaign, where we ask Canadian lawyers to tell their stories involving sexual harassment and sexual assault. We received 47 submissions that describe experiences ranging from hearing inappropriate jokes to being physically assaulted. It is from these stories that we come to you today with this podcast.

My name is Heidi Schedler, and I am the first co-chair of the Canadian Bar Association's Women Lawyers Forum. I am joined by four very esteemed speakers.

[Gail Gatchalian] is a lawyer and workplace investigator at [Pink Larkin] in Halifax, Nova Scotia. She is also the chair of the National Labour and Employment Law Section of the Canadian Bar Association.

Doctor Harry Stefanakis is a psychologist and educator in Vancouver, British Columbia. Doctor Stefanakis is an active participant in programs seeking to end violence in relationships and workplaces, and he has appeared in the video titled, "Men Speaking Up: Ending Violence Together."

Tracy Porteous is the executive director of the Ending Violence Association of British Columbia and co-chair of the Ending Violence Association of Canada. Tracy has been involved in developing programs and policy that respond to violence against women for 35 years, one example being the More Than A Bystander program.

And finally, Angus Reid is a former award-winning offensive lineman who played in the Canadian Football League for the BC Lions. Angus

became a Bystander spokesman very early on, travelling across British Columbia, talking to youth and communities about the importance of speaking out against violence and abuse towards women. Welcome to all of our speakers.

There are three general topics that I would like to discuss today: First, what does sexual assault and sexual harassment mean, legally; second, why do sexual assault and sexual harassment happen in the first place; and third, what can we -- as lawyers, as clients, as citizens, and as a community -- do to fix this problem?

Gail, perhaps we can start with the legal side of things. Most people think of sexual harassment and sexual assault as being criminal, period. Certainly, they can be, but sexual harassment and sexual assault reach far beyond the criminal law. They create complex and challenging issues that touch upon our everyday lives -- our work, our employment, the services that Canadian businesses provide to the public, the jobs we have, and how we manage our companies and workforces. Perhaps you could begin by giving us an outline of what laws are in place to deal with sexual harassment and sexual assault, in the context of our, quote/unquote, "working lives," and the services that employers provide to their customers.

Gail:

Sure, Heidi. I think there are five principal ways that sexual harassment and sexual assault is regulated in the workplace. And I'm not talking about criminal law, so I'm talking about workplace law. So first, we have human rights legislation. That type of legislation prohibits discrimination on the basis of sex in employment, and this includes a prohibition against sexual harassment in employment. Human rights statutes don't specifically refer to sexual assault, but sexual assault falls within the meaning of sexual harassment. It can certainly be other things. It can be a criminal offense or a standalone reason for termination with cause, but it also falls within the definition of sexual harassment. It's also important to point out that sexual harassment often does overlap with harassment on the basis of other protected ground, such as gender identity and gender expression.

The second type of legal regulation of sexual harassment and assault is in the form of occupational health and safety legislation, which imposes on employers the obligation to take all reasonable measures to provide a safe workplace, which includes a workplace free of violence. And this would, in my view, include sexual violence. Some of these statutes have a specific provision in the workplace regulation that goes beyond the general provisions for safe workplace, and those type of regulations require employers to conduct workplace violence assessments, and if needed, to have a workplace violence prevention plan. Some jurisdictions have occupational health and safety legislation that specifically addresses harassment. And this year, Ontario's Act was amended to specifically refer to sexual harassment.

Thirdly, unionised workplaces have collective agreements that employees can grieve under if they've been subjected to sexual harassment in the workplace.

Fourth, for non-unionised employees, we have the common law. So you can't sue for sexual harassment alone, except perhaps in Manitoba. But generally speaking, the Supreme Court of Canada has said that those types of claims, within the exclusive jurisdiction of human rights' legal regime, but an employee can claim damages for sexual harassment as part of a wrongful dismissal election as part of an action for constructive dismissal or as forming the actual basis for retort of negligent or intentional infliction of mental suffering.

Now finally, we've recently seen specific legislation requiring colleges and universities to have policies and procedures to respond to complaints by students of sexual misconduct and sexual violence on campus.

Heidi: You know, it's interesting, Gayle. You made reference in your comments to the word "work force" and "workplace" quite consistently. And I'm sure that many people think that word "workplace" means the four walls of an office, or at least some very clear and distinct space that they work in. Maybe you could take a moment and explain what is a workplace and does it include volunteer organisations?

Gail: Sure. So the workplace certainly is not necessarily confined to the four walls of an office or a building. It can extend to work-related events outside of the workplace -- for example, social events or training. This year, there was an arbitration decision out of Ontario that upheld the termination of an employee for a sexual harassment that took place at a social event off-site. The workplace may also extend to online behaviour that impacts the workplace -- for example, posts on Facebook. The Ontario Human Rights Commission has said that the Human Rights Code there may apply to workplace-related postings on the Internet.

As far as the volunteers go, if your -- if the human rights legislation that you're looking at doesn't specifically address volunteer public service as the Act does in Nova Scotia, then you may be limited to making an argument that it falls under discrimination or harassment in employment. And then, the question's going to be: Does the volunteer relationship meet the definition of employment? We can get some guidance for the factors that a tribunal would look at from a 2002 British Columbia human rights tribunal decision. That looked at things such as the fact that the organisation at issue there was a collective of volunteers and paid staff. The work done by volunteers was essential to fulfilling the organisation's mandate. And volunteers underwent screening and an extensive training program. So, in that case, those factors were relied on to find that the volunteer relationship was really -- fell within the definition of employment.

Another aspect of the issue of workplace -- and people should be aware of -- is that law partners and other partners in a professional partnership may not be considered to be employees under human rights legislation. And for further guidance on this, you can look at the Supreme Court of Canada case from 2014 where an equity partner in a law firm was found not to have the right to file a complaint of discrimination on the basis of age.

The Court applied a control and dependency test, in that case, but that doesn't mean that a partner in a law firm doesn't have any recourse. For example, the Nova Scotia Code of Ethics for Lawyers requires lawyers to -- states that a lawyer must not sexually harass any person, a lawyer must not discriminate against any person, and a lawyer has the special responsibility to respect the [unintelligible 00:10:14]. So even though a partner law firm might not be considered to be an employee, the pro -- the regulator might be able to address the situation.

Heidi: Well, it certainly seems like there's a very wide spectrum of laws that apply to help protect people, as it relates to sexual harassment and sexual assault, and I'm sure, Gayle, you could talk for days on any one of those pieces. You know, it -- and I appreciate, too, that even the context and definition of what is a workplace is also -- it can be considered quite broad. And that is really helpful to give us a little bit of context around that.

Perhaps now we can move to talking a little bit about the legal definition of sexual assault and sexual harassment. What -- how does the law define those actions?

Gail: Yeah. Some human rights statutes provide a definition of sexual harassment; some don't. But the leading definition is from a 1989 Supreme Court of Canada case. The judgment was written by the then Chief Justice Dickson and Janzen and Platy Enterprises. And he defined a sexual harassment as "unwelcome conduct of a sexual nature that detrimentally affects the work environment or leads to adverse job-related consequences to the victims of the harassment." And I think it's important to remember what Chief Justice Dickson said in that case about sexual harassment being an abuse of power. He said, "It is and has been widely accepted --" and this is back in 1989, "-- as an abuse of power. When sexual harassment occurs in the workplace, it is an abuse of both economic and sexual power."

Another important concept to keep in mind is that sexual harassment includes gender-based harassment, which the Ontario Human Rights Commission defines as "behaviour that seeks to enforce traditional, heterosexual gender norms, and includes harassment for gender nonconformity."

Three other points that are important to keep in mind when thinking about what constitutes sexual harassment are these: One, intention is not a necessary element of sexual harassment; two, the behaviour doesn't

have to be directed at any one person. So sexual harassment includes conduct that creates a hostile or poisoned environment. And three, a person may be more vulnerable to sexual harassment if they identify by other protected grounds, such as gender identity and gender expression.

So that's human rights legislation. When we're thinking about what meets the definition of sexual harassment in occupational health and safety legislation, for the legislation that only refers to violence, it may be that -- well, certainly sexual violence would fall under that definition, but based on a Federal Court of Appeal decision in 2014 involving PSAC, upholding a Federal Court decision, decided that the definition of violence in the Federal Occupational Health and Safety legislation, the Canada Labour Code, Part 2, may be broad enough to cover harassment that may cause mental or psychological harm or illness.

Now, Ontario, as I referred to before, has the specific definition of sexual harassment in Bill 132.

Heidi: That's all very interesting. I mentioned at the beginning that you also -- not only are you a lawyer, but you're also a workplace investigator. How would a workplace investigator, such as yourself or any other workplace investigator, determine whether a person's behaviour meets the definition of sexual harassment?

Gail: So you look for the elements, whether the elements of the definition are met. That is, was there a course of conduct or one instance of egregious conduct? Secondly, was the conduct of a sexual nature? And that includes the concept, like I said, of reinforcing traditional gender stereotypes. And third, was the conduct known or should it -- ought it -- reasonably known to be unwelcome? Meaning either the alleged perpetrator or knew, or he or she should have known that the conduct was unwelcome.

And there are lots of sources for examples of what constitutes sexual or gender-based harassment. For instance, the Ontario Human Rights Commission has a policy on preventing sexual harassment and gender-based harassment, and gives a list of examples, such as: demanding hugs; making unnecessary physical contact -- uh, sorry, contact; making gender-related comments about someone's physical characteristics or mannerisms; showing or sending pornography, sexual pictures, sexual jokes; and so on.

There's no shortage of cases that detail instances of sexual harassment. Just a couple of examples here in Nova Scotia: Nova Scotia Human Rights Board of Inquiry, in a case called Shear Logic, found an owner of a hair salon to have engaged in sexual harassment when he said things like, the following, to his employee, the complainant: Things like, "She could not be gay, because she was pretty"; asking her about whether she wore a one-piece or a two-piece bathing suit; calling her bipolar lesbian and a bitch -- excuse the language; but these are the

types of things that happen quite often in workplaces and -- over and over again.

A really egregious case of sexual harassment was the subject of a 2015 decision by the Human Rights Tribunal of Ontario where the two complainants were temporary foreign workers from Mexico working for Presteve, a fish-processing plant in Ontario. And in that case, the two complainants were subject to conduct on the part of the owner of that company, such as being invited out to dinner with him -- alone -- on many occasions, despite once the complainant's saying she wasn't interested, the owner telling her many times and yelling at her, saying she essentially had no choice, touching her inappropriately, repeatedly, and so on.

So those are the types of examples. And there's no shortage of examples of conduct that falls within the definition of sexual harassment.

Heidi: And certainly, those are really egregious and perhaps seemingly obvious examples of sexual harassment and sexual assault. And I think it's important to keep in mind what you mentioned about this reasonable aspect to it -- so what would a reasonable person, the average person standing on the street if they were watching this, seeing it happen -- would they be offended or would they consider this to be reprehensible behaviour?

You know, and on that note, I think it's important, as well, to talk about the obligations of an employer, and what obligations exist for them as far, as providing a safe place to work?

Gail: So, very simply, an employer's obligation under human rights legislation is to provide a safe, harassment-free, discrimination-free workplace. And this includes providing a workplace that is free from sexual harassment by supervisors and management, co-workers, but also clients and customers. And in the human rights context, decision-makers look at what we call the Laskowska factors. That's from a case called Laskowska -- to determine whether an employer is liable for the sexual harassment of an employee, and to show the extent of that liability.

And those factors are as follows: One, education policies and prevention. Were those proactive measures in place? Two, appropriate complaint handling. This would include taking care of the complainants, pending the investigation, and having a competent investigation take place. And the third Laskowska factor is: Was there a proper response by the employer at the end of the investigation of the complaint? And I can elaborate on any one of those three factors, if you'd like.

Heidi: Yeah, absolutely. You know, you made reference to an investigation. What is required from an employer to conduct an investigation?

Gail: Well, I think there are four -- at least four -- essential elements of an adequate investigation, and they are as follows: promptness; impartiality; a trained and experienced investigator; and procedural fairness.

Promptness is absolutely essential in investigating and responding to a complaint of sexual harassment, because if the harassment has actually taken place, the longer you wait to deal with it, the more the potential harm -- not only to the victim of the harassment, but to the rest of the workplace, who probably knows that it's been taking place, and the more the harm to the credibility of the employer, if the employer doesn't seem to be taking complaints of sexual harassment as seriously and dealing with it expeditiously.

Impartiality is crucial. That is, the investigator must both have a -- be free from bias, as well as be seen to be impartial. This is important, first, for ensuring as best as possible that the decision that the employer will ultimately make will be based on an accurate understanding of the facts. And secondly, as the impartiality as the investigation is really important, again, for the credibility of the employer in the eyes of the workplace, and ensuring that employees will feel comfortable in the future bringing forward allegations of sexual harassment and will feel comfortable that the employer will adequately investigate and respond to claims of sexual harassment.

The same goes for the factor of training and experience of the investigator. We also have to -- employers have to worry about the potential liability. If the employer makes the decision that isn't based on an accurate understanding of the facts, that liability could come from either the complainant, who feels that the employer hasn't responded adequately to his or her complaint of sexual harassment, or it could come from the respondent, who feels that the -- he or she was either disciplined or terminated unfairly or unjustly.

And the same reasons apply to the factor of procedural fairness. Employers have been criticised in various types of decisions for failing to provide the respondent with procedural fairness in conducting the investigation of a complaint.

And one of the cases that's often referred to is an arbitration case called the City of Hamilton, out of Ontario, in 2013. In that case, a female employee was experiencing ongoing sexual harassment by a male supervisor. She made several reports to management. They appointed an internal investigator who only interviewed the two parties and then didn't interview any of the relevant witnesses. And during the investigation, another fault of the employer was that it didn't take any steps to protect the complainant during the several-months-long investigation, and so, she was required to continue working under the harasser for that time.

So, promptness, impartiality, competent investigator, and procedural fairness, I think, are essential elements of an investigation.

Heidi: And they all seem to be connected in some way, shape, or form, in the sense that you can't have one without the other. You made reference in your comments to -- and I'll paraphrase here -- to the employer taking responsibility for effectively protecting or ensuring that nothing more happens to the complainant once a complaint has been lodged. Can you talk a little bit more about that?

Gail: Sure. So, obviously, the employer and whoever's assigned to investigate the complaint has to be impartial and unbiased, and cannot make a determination without conducting a proper investigation, but has to -- the employer has to ensure that the complainant is protected from any further potential harassment, and also, that the respondent is protected from any further allegations.

And so, that will sometimes require a separation of the parties to the complaint. Ideally, continuing to employ both of them -- it might require a transfer -- but if protection of the complainant -- again, without making a determination of the outcome of the complaint -- is only possible by removing someone from the workplace, then that person has to be the respondent. Again, it should be a non-disciplinary administrative leave, and all the more reason for ensuring that the investigation takes place expeditiously.

Heidi: It certainly seems like there's a high level, high standard put in place for employers to ensure that the proper actions are taken when a complaint has been made. Maybe you could just take a quick moment to address the risks that would face an employer if they don't do what they should do?

Gail: Yeah. I mean, first and foremost, I think, employers have to be concerned about the potential, significant harm that can be experienced by victims of sexual harassment and sexual assault in the workplace. For example, in a 2013 arbitration case, involving the city of Calgary and [Kiupi], a municipal clerk had been sexually harassed and assaulted by a foreman. And she was ultimately diagnosed with acute stress, admitted to hospital with suicidal ideation, and was found by the arbitrator. She was eventually left totally disabled from working.

Employers should also be very concerned about the fact that sexual harassment and assault poisons the entire workplace, and the cost associated with this could include: decreased morale, productivity, and performance; increased absenteeism; and a really big hit, potentially, to recruitment and retention, as well as the organisation's reputation.

There's also the cost involved with legal proceedings, including the cost of potential damages. So in the Calgary case I just mentioned, general damages were assessed 125,000 dollars. Loss of past income was

awarded in the amount of 135,000 dollars. And loss of future income was assessed at 500,000 dollars.

In a 2006 British Columbia Court of Appeal case, and so the Minister of Public Safety, the Court of Appeal upheld the Lower Courts award of 950,000 dollars in damage to a female RCMP officer for the severe psychological harm she suffered from persistent harassment by the commander of her detachment. So it's -- this issue of sexual harassment in the RCMP is not a new one.

And, more recently, a case out of the Ontario Court of Appeal, this year in *Strudwick and Applied Consumer and Clinical Evaluations*, this was the case of harassment as basis of disability. That gives you a sense of what an employer might face in the case involving wrongful dismissal, which involve harassment. In that case, the plaintiff was awarded a total of about 250,000 dollars in damages in her wrongful dismissal action.

Heidi: Yeah. Perhaps I could be so bold to compare ignoring a complaint of this nature to ignoring a cancer in your body, in the sense that it really could have such significant and serious impacts on how you move through the world and how your business continues to conduct everything it does. It is something that you simply cannot ignore.

You know, we -- maybe I can ask you, Gayle, to just sum up by giving us what you think would be -- you know, your best piece of advice that you could give either to a complainant or to an employer -- or both, for that matter, if you'd like -- as to how to handle this type of a situation, whether from the complainant perspective or from the employer perspective?

Gail: Well, for complainants, my advice, I think, would be to complain and complain and make it know to the employer, to management, in a formal way, in written form, what's happened to him or her. Now, we all recognise that often these cases involve a huge power and balance. And often, complainants are worried about what employment consequences they might be able -- may suffer, as a result of complaining. In these cases, I would suggest that employees consult with an employment lawyer in the profession. There's always somebody, like a regulator, you can talk to about these types of cases.

For employers, my advice is when an employer becomes aware -- either through a complaint or not -- if it becomes aware, otherwise, about sexual harassment taking place in a workplace, it has to act now. It can't wait. There's so many examples of cases, high profile cases, where large institutions with lots of resources waited and waited until an enormous amount of damage was caused, both to the victims as well as to the larger workplace.

So, don't wait. Act now. Make sure that the investigation is done promptly and properly. But don't lose sight of the fact that there are opportunities, and in many cases, to resolve the situation. I mean, except

perhaps in cases involving conduct in the serious end of the spectrum. There may actually be some potential, on the part of the respondent, to reform his or her behaviour. So we [unintelligible 00:30:01] for the fact that perhaps mediation can be used to repair what's happening in the workplace.

And, finally, my advice to employers would be: Don't wait for a complaint. Don't wait for a complaint to try and ensure that the culture that you have in your workplace, the culture that you have in your organisation, is a healthy, respectful one. And start thinking seriously in putting -- and start putting some time and effort into building a respectful workplace, so that you don't have to rely on the complaint investigation disciplinary model when things get out of hand and sexual harassment has already taken place.

Heidi: Thank you so much, Gail. I really appreciate all of your insights and comments. With that legal foundation and knowledge, I'd now like to turn to Doctor Harry Stefanakis and talk about what I consider to be another foundational piece, which is why does this even happen in the first place?

Doctor Stefanakis, through your work as a psychologist and an educator, you've worked directly with both victims and perpetrators of sexual harassment and sexual assault. Why do you think sexual harassment and sexual assault occur in our society?

Harry: So first, I'd like to echo something Gail said, which is we need to make it clear that sexual harassment is about power, and it's not about sex. It's fundamentally a form of harassment in which the offending party is using gender, sex, and sexuality as a means for the harassment. The use of harassment is a tactic of control, which explains why sexual harassment is most frequent in workplaces where women are new and are in the minority.

And in fact, no matter how many men being counter in the course of their work, women who hold jobs traditionally held by men are far more likely to be harassed than women who do what is considered traditional women's work. In fact, men most likely to be victimised are men who deviate from traditional stereotypes of masculinity, whether they belong to a sexual minority or they're actively involved in feminist causes.

One study demonstrated that backlash was particularly common against heterosexual men who challenged traditional gender roles. Employers and employees often expect men to act as masculine as possible, and anything that deviates from that role, well, that gets them harassed. For example, men who take time off work to take care of their children may experience more gender harassment in the workplace as a result.

Now there's no single cause or reason that we can identify for sexual harassment, but we can point to factors that increase the likelihood of

sexual harassment occurring in a workplace. And I'll talk about a few different kinds of factors, if you don't mind, individual factors --

Heidi: Absolutely.

Harry: -- and some vital factors and organisational factors. So from an individual perspective, again, there's no unitary kind of offender. There -- although offenders tend to be male. And this is true for both male and female victims. Male victims are equally likely to be harassed by males as they are by females. The offenders are usually in the same or a higher position, and usually from the dominant social group. Importantly, people with traditional roles of gender roles are more likely to blame the victim in case of sexual harassment and are more likely to harass, themselves.

The worst offenders, the ones who tend to repeat sexual harassment behaviour even when they're told it's inappropriate, they tend to be domineering and controlling individuals. They lack empathy, they impulsive, and they're emotionally constricted.

From a societal perspective, again, you can see that sexual harassment really reflects women's economic inequality and social inequality in society. And so, you know, changes in society, in general, will help reduce sexual harassment in the workplace.

There are some other factors, as well. There are differences in perceptions between men and women that are important and that -- education might help. For example, in one study from the University of Arizona, found that 67 percent men said they would feel complimented if they were propositioned at work, but only 17 percent of women said so.

In another study, using scenarios of harassment showing a progression or escalation of harassment, most women would say that sexual harassment the very first lunch or meeting where the co-worker asked about her private life instead of her work; whereas, most men said that sexual harassment began at the point he tried to touch her.

So these perceptual differences can be addressed through education. From an organisational perspective, the strongest predictor for sexual harassment in the workplace is whether there's tolerance for it in the workplace. And this involves, say, the management taking the side of the senior person in all cases; if there's a lack of a workplace harassment policy -- that's a huge predictor for harassment occurring in the workplace; if there is a gender composition, especially among supervisors, that is dominated by males; and some of the things that Gail suggested, as well, where there's subtle and not so subtle sort of tolerance in the environment -- for example, by allowing pornography in the environment.

One other factor that I'd like to point is the psychological factor that we call "group think." Men in groups are more like [boards], or inadvertently condone acts of harassment than when they are alone. And so, men, together, need to also stand up and speak out against sexual harassment. And as a group, they'll have a stronger voice. Because one of the biggest problems is -- that sustains sexual harassment is silence. Women are often afraid or the victims are often afraid of coming forward, for fear of further harassment. And men are often silent about what is happening in their environment. [Unintelligible 00:36:03].

Heidi: You know, it's interesting that -- that's very helpful, and it's interesting that, you know, you talk about the impacts of the silence and how it impacts the victims and how it can impact much broader than just the victim. And oftentimes, we do think of sexual harassment and sexual assault as the victim only being the person, the target, the individual who was, you know, pointed at and spoken to in that way. But I get the impression that the impact runs much deeper than that. Perhaps you could talk a little bit about that?

Harry: Yes, of course. The impact affects everyone in the environment, of course, and again, it was alluded to earlier that you create a toxic work environment that will have broad-range impact. But it also extends even farther than that. It'll have an impact on other individuals that are around the person who is being victimised. It can affect, for example, their parents, their friends, their partners, children, spouses, and of course, their co-workers. And they can also have a whole bunch of different, complex feelings, and to make sense of what happened. And sometimes, even making sense of the fact that they could not -- or they did not do anything or could not do anything to stop it. And so, you'll have a whole bunch of implications that will spread from there.

In the workplace, of course, it'll have a huge impact on victims' ability to perform their job. You know, sort of subtle sexual harassment will impair concentration and may impair judgment. Other symptoms that can manifest are low motivation, often perhaps being late or absent from work. It'll affect the team's ability to their job together. Sometimes you'll have to get other people completing jobs. So it'll be a huge cost to organisations, in terms of managing the impacts on the victim and the people surrounding the victim.

The victims themselves, I should I also point, often experience symptoms that are very similar to other forms of trauma, like rape or assault. They can feel helpless, afraid, angry, anxious, and depressed. They can manifest physical symptoms, such as gastrointestinal problems, eating disorders, insomnia. And this is true whether or not they file a complaint.

Heidi: It certainly seems like the ripple effect of these actions is so significant. You made mention earlier to, you know, the fact that we can't really just stand by and watch this happen. And so, I wonder if maybe you could comment on, beyond what the law says we have to do, but more from a

societal/sociological perspective. What can we do about this? How can we respond to these types of actions?

Harry: Well, I think there's a few things that we can do. I think, first of all, it's incumbent amongst leaders in organisations -- and this could be formal leaders, such as supervisors and leaders of organisations, or informal leaders in organisations, too -- to really take a role in terms of making a change in the culture and making it clear that sexual harassment is not acceptable.

Leaders can monitor their own behaviour, how they -- how might their words and actions be interpreted. And I want to be clear that this is not about political correctness. I really hate that term. It's really about respect. We need to think -- change the language here that it's really about establishing settings, context of respect and equality for everyone, rather than trying to be politically correct.

Leaders can observe others and respectfully engage those who appear to be engaging in inappropriate behaviour by making boundaries very clear and by not inadvertently supporting sexual harassments who, for example, laughing at sexist jokes, and, again, helping create education initiatives that will help everyone understand that it's inappropriate behaviour.

Men in particular -- as I said before and I think Tracy and Angus are going to talk about this some more -- need to sort of step into the silence and speak up against sexual harassment. The research suggests that only 1 percent of men are really chronic harassers. So that means the majority are often sort of quietly complicit in sexual harassment by not saying anything about it. And the men need to be encouraged to sort of take a role in saying that this is inappropriate. And this can happen in many different ways. You can -- actually, if it's safe to do so, is approach the person and be direct about what you've seen and what you've heard.

But it's also important to avoid making judgments about the individual as a human being, as a person. So what we want to do is comment about the behaviour, not about the person, and to avoid validating excuses and justifications. Again, we want to switch the conversation from one about political correctness to one about respect and equality.

Heidi: You know, I really like that you draw the distinction between respect and political correctness. You know, I think everybody can agree that the term "politically correct" can be a bit charged. You know, there's, generally speaking, people on either side of the fence on whether or not it's the right thing to do or the wrong thing to do. But at the same time, I don't think anyone would have -- would disagree or would dispute that being respectful is a pretty good baseline to start with.

And so, when we're talking about, you know, dealing with victims and how we help victims recovering from sexual harassment and sexual

assault, coming at it from that basis of respect is, I think, really important. Can you talk to us a little bit more about that?

Harry: Absolutely. You know, in my work as a psychologist and in working with offenders, as well, across a number of different contexts, when I ask people about the value system that they hold, most people -- and I would say 99 percent of the population -- most offenders would agree that respect and equality are important values that they hold. So what we want to do is we want to encourage everybody to live up to the values that we hold as a society and as a community, and challenge the ways in which we sort of give ourselves permission to violate those values.

So, fundamentally, when we build respectful contexts in environments, we're actually supporting everyone. And most people will get that when they're approached properly about these things.

I should say, one of the things when we're working with those who perpetrate this type of behaviour, is not to get caught up in giving them their due, giving them the same kind of behaviour that they're engaging with others. And that's a common mistake when especially men try to approach other men. They want to sort of shame them or harass them into compliance. And that's, you know, not appropriate.

One of the ways that harassment works and violence works is through sort of that dehumanisation process, right, where we dehumanise the other through sexual means or other means. And that is what -- one of the ways in which we allow ourselves to sort of violate our values, by dehumanising others. Dehumanising the offender doesn't do anything to change the offending behaviour. It actually perpetuates the same problem that we're trying to stop. But what we want to do is be very clear and have very clear boundaries about behaviour, but also approach the person from a human perspective, if that makes sense.

Heidi: Absolutely. You know, it's -- we so often hear the expression "eye for an eye, tooth for a tooth," and people will often retaliate with comparable behaviour. But it's really interesting to hear that it's so counterproductive, particularly as it results -- as it relates to sexual harassment and sexual assault. You made -- you've made reference to perpetrators, and I know that you've worked with offenders and perpetrators of sexual assault. Can you talk a little bit about the type of work that you do with offenders and perpetrators of this type of behaviour?

Harry: Yeah. I mean, I'm not going to go into too much of the clinical work here, but with most men -- a lot of men -- sometimes men actually aren't aware that they're being offensive. And again, intent doesn't change the fact that they have engaged in offensive behaviour. So sometimes, education is really important and that really helps create a shift in a person, especially if you're inviting them to be their best self. With most men, it helps reconnect them with their values and to help them see how

this behaviour violates their own value system. Inviting them to become part of the solution rather than seeing themselves only as part of the problem, I think, is critical to the work.

With severe, repeat offenders, sanctions and group norms are most effective. Contrary to popular belief, changing people's behaviours often precedes changing their attitudes. So in environments that do not tolerate inequality and acts of harassment and that engender respect and equality, they'll more likely move those individuals as well as those repeat a more hostile people towards changing how they see the world. It helps people think responsibility is also important, and apologies help both the victim and the offender.

In one case I was involved in, in a workplace, when the offending party actually took responsibility and apologised, they actually made some significant changes in the way they approached the workplace. And the person who was victimised, who I also work with, recovered much more quickly from that event, and in fact, was able to move back into her full work and duties very comfortable quickly after that.

In another case where the person was minimising the harassment and trying to sort of frame it as one of friendship, that -- the person who was victimised suffered a significantly greater number of symptoms and had a harder time returning to work. The responsibility is critical -- helping people take responsibility is an important part of the treatments.

Heidi: Yeah. It's really interesting that you made reference to -- for lack of a better way of saying it -- tapping into the value system of each individual, in order to illustrate the appropriateness or inappropriateness of the actions. I think that's going to be something that really resonates with the people listening today.

You made reference, as well, to, you know, education, how education is such a huge piece of this. And perhaps you could talk a little bit more about what other resources might exist that would be useful to people listening today?

Harry: Sure. Before I do that, actually, I did want to make a comment about those who are victimised. And I want to make clear that trauma experiences are also the sort of the recovery as much as they are of the trauma itself. In other words, it's the silencing and isolation that comes with victimisation that contributes the negative, long-term impacts of traumatic experiences. So I want to make it clear, again, that we really need to break the silence around sexual harassment. And that's significant to helping those who are victimised overcome the trauma itself. And of course --

Heidi: Absolutely.

Harry: -- counselling is a support that can be critical. And the more quickly that one has access to it, the more effective it can be, as well, more quickly.

And just another quick comment on education: The other term that I don't like is "sensitivity training." Again, sensitivity suggests that maybe some people are being too sensitive and some people are not sensitive enough. And again, we need to frame the dialogue one in terms of respect and equality rather than sensitivity. In terms of resources, I think, first, one can start with oneself. So we should all start with oneself and really ask oneself some questions, like: Would I want my daughter/wife/sister/son/brother/husband subjected to this behaviour? You know, is this behaviour likely to intimidate or belittle the recipients? Is it possible that it might be misinterpreted? So we should ask ourselves some specific questions so that we are taking responsibility for how we're -- how we're speaking and communicating with others.

With respect to other resources, in any organisation or in many organisations, you can start with your employee/family assistance programs. Often, they will have other resources in which to connect you with. Every province has psychological associations, in which you can find a psychologist who specialises in dealing with sexual harassment or abuse issues. Contacting that association will often lead to referrals.

And the Canadian Resource Centre for Victims of Crime has many links that can be helpful, including some services for men and some services that are around prevention work. The website there is: www.crcvc.ca. And I'm sure that Tracy will have some other resources that she can suggest, as well.

Heidi: Thank you so much, Doctor Stefanakis. You know, you're -- the importance that you've put on starting with ourselves, I think, is an excellent segue into talking with Tracy Porteous and Angus Reid. And so, turning now to them, I understand that the Ending Violence Association and the BC Lions Club have teamed up on a -- what I would consider to be a ground-breaking initiative to address the prevalence of sexual harassment and sexual assault.

Maybe you could speak, Tracy and Angus, to what is the Be More Than A Bystander program?

Tracy: Sure, and very happy to. And I just want to also thank the Canadian Bar Association for taking this issue on in the way that you have, because I think that sexual assault and sexual harassment thrives in the silence of most people in society who don't know what to say and don't know what to do, if they see this kind of behaviour or these kinds of attitudes happening around them. And it's based on that reality is, you know, as Harry so beautifully spoke about the harm that it's caused, for people who are victimised in these ways. And harm that can last a lifetime can manifest in cancer and heart disease and autoimmune diseases, and really undermines one's enjoyment of life and liberties. And there are simple things that people who may not be the person doing the harm or may not be the person that has been harmed. There are simple things that people can do that can make the world of difference.

So aside from the harm that is caused by -- from experiencing sexual harassment and sexual assault, there's another whole layer of harm when people around who know about it are silent. And from working with survivors over a great many years, I can say that one of the greatest things we, as a community or as a family or as a workplace, can offer is to break the silences, is to no longer allow this issue to thrive in the silence. And so, the Ending Violence Association of BC went to the BC Lions about six years ago and had this idea that we would not only try to break the silence surrounding this kind of gender-based violence, but we would have men lead the conversation with other boys and men, because that's a piece of the puzzle that has been missing all this time.

Women and feminists, for the last 40 years, have been producing legal analyses and creating programs and responses and creating different kinds of legislation in social policy. And we've moved the dial a great amount over these last four decades, but we haven't been able to reach men and boys. And there's a PhD women studies fellow -- one of the first fellows, I think, in the US, that got a PhD in women studies -- by the name of Jackson Katz. And he was an all-star football player when he was in university. And he started this concept of bystander education and in reaching men and boys, to give them skills and confidence, and help them see that it's partly their role to do something about this violence. Because in their silence, it's like saying, it's okay.

Angus: I was just going to follow up on what Tracy has outlined so gracefully there. In terms of the program, from our perspective -- again, following up on Tracy, it's been able to address the issue to students from men, coming in as men and addressing issue, which I think everyone will agree hasn't been done before to any great scale.

And the two-part program, or when we address the issue, we show the reality of it, so there's no more denying how real this is. We go over the complete spectrum of abuse, so you understand how this can -- how this can begin in terms of language anywhere, in music, and [unintelligible 00:54:34] way to the ultimate distinct. But I think, even more importantly, after addressing it, we then make it an empowerment program where, you know, every great leader has to have knowledge of the issue and the correct amount of tools in their toolbox needed to work on it and solve it and create a better place.

So we then move into empowering the students with things that they can do about this, now that we've brought it out to reality. And so, you know, you're giving them to actively know their environment, to see what's going on, so they can no longer deny the reality. And then, empower them with things that they can do, how every single student can become a leader and start taking care of the people around them with positive things that they will be able to take away and do.

Heidi: That's absolutely true in the sense that, you know, as we've said and heard so many times already today, it really is about starting with

ourselves. And maybe, Angus, you could talk a little bit about what makes violence against women a men's issue?

Angus: Well, sure. I think it's already been discussed that -- I believe that was only 1 percent of men, statistically, are abusive. But the reality is most people that are being abused happened from men. So the majority of the time, it's a male that is in the abusive stance. And so, you know, for years -- and Tracy's discussed, you know, four decades or whatever it may be, or even longer, all the way back -- where women have had to fight up against this. And really, all you're causing is an "us versus you" mentality where the men would all bind together now. And no, this is a man's thing. We do this. We work. We -- you know, we're going to fight back.

And I think it's important now where men look at each other and say, listen, this is the reality. We are the ones doing this. We are the ones that need to begin to solve this, change this, and create a difference, because it's started from our side. And I think it needed men to discuss it to men, because forever, as we all know, when it's coming from women against men, you create an "us versus you" mentality and friction remains.

And when you have men now -- particularly, it's worked out well where we've got football players, which have historically been seen as the ultimate in terms of a macho male persona, coming and addressing it, and we are the ones saying, listen, this is a real problem. We are acknowledging a [unintelligible 00:57:08]. It's had a tremendous impact on the young today that would look up to us in terms of "that's what an alpha male should be." And we need to say, "Okay, great. This is what we're talking about. This is what we see is wrong. This is what we need to change if we are going to be good leaders in our community, good friends, good classmates, good teammates, and people that are out here to make this world better and safer for everyone."

Heidi: You know, you make reference to the fact that we are all part of this, we're all part of the same society, the same community; and so, we are all inherently a part of the solution. So perhaps both of you can speak to what we -- me, you, everyone -- can do to be more than just a bystander in our own lives, in our workplaces, as an employer, as a lawyer, as a member of the community, as a member of a church, whatever it is. How can we step up and be more than a bystander?

Tracy: I'll just jump in there first and just say that, you know, this concept is similar to what happened about 30 years ago when people started stepping in when they saw their friends having too much to drink at a party and saying, "You're -- you know, you're -- it's not safe for you to drive home like that and I'm going to take your keys." We've also done the same thing in terms of moving the social dynamics around smoking and wearing seatbelts.

And so, we -- what we're saying is that speaking up and saying anything, doing anything, is better than saying nothing. So for lawyers, for example -- and I think that lawyers, more than anybody else, may be privy to abusive dynamics going on in the context of separation or custody battles, and quite likely, may be witnessing someone -- a male who might be accused of domestic violence or sexual harassment or sexual assault -- saying or portraying abusive attitudes and behaviours towards women, in general, or towards somebody that they victimised. And I think it's incumbent upon all of us -- and lawyers, in particular -- to figure out ways that you can do your job with your client, but at the same time, be able to say, "You know, I need to keep this space and the way that we work together respectful towards all the people that we're dealing with. And the kinds of things that you're talking about sound like they're not that respectful to me."

And so, you could say things like that. If you're in a court room, for example -- and I've seen this a lot and I'm sure many lawyers who are practicing litigants -- or litigators -- see this -- people behaving badly in the hallway. Guys might be being abusive towards their girlfriends. There's something that we call offering our presence. And you could simply -- it could be simply as just going and standing next to somebody where there's an abusive dynamic going on, or interrupting the abuser and asking that person for the time or asking the person that's being victimised for the time. It's like changing the dynamic, trying to interrupt the abuse that's going on.

You know, saying -- not demonising -- and what we're trying to do and we're teaching kids and community members, as you say, church groups and trade unions, to figure out ways of having conversations at the workplace and with colleagues and with other members of the community -- by not demonising the person that is guilty of the harassment or the abusive behaviour, because I think what we all want is that -- for that person's behaviour to change. We know that the phenomenon of violence against women, including sexual harassment and abuse, is something that will tend to continue if it's not interrupted. And so, to be able to reach out to a fellow that might be being abusive or portraying abusive attitudes, to say, you know, "Can we -- could we talk about what you just said or what you just expressed? Because it feels abusive to me. And I wonder if we can get you some help."

Heidi: You know, a couple things that you said, I think, will really resonate with people. And one is that we kind of all tend to move through our worlds with our hats on, whatever that hat is for that particular moment or that day. And we tend to live by the boundaries of those hats sometimes. So if I'm a lawyer helping someone with their divorce, that's how I think of my role, and I don't stray outside those boundaries, when really, what you're saying is there are no boundaries, on some level, to the rules as it relates to our obligations to correct this type of behaviour. And we all have an opportunity, if not an obligation, to step up and take responsibility for it.

And I think the second piece that will really resonate with people is that that doesn't necessarily mean that you have to be confrontational or combative. I love the example that you gave about simply asking for the time. Just breaking that stream of consciousness that is existing at that time can be sufficient to stop that behaviour and move people forward.

Angus, your involvement in the involvement of the BC Lions Club is particularly interesting given that sports franchises across North America have been associated with sexual harassment and sexual assault in various forms. How has the program affected the culture of the BC Lions Club since this partnership began?

Angus:

It's affected it massively. I can tell you, as most sports programs, we have been involved in various school initiatives for years, and most of them revolve around literacy or health and fitness. And when this program was brought to us quite a few years ago, we went through the training of it. It really rocked, I think, the foundation of the way a lot of our players had thought, had previously, you know, had their mind made up on what was right and what was wrong and what was okay and what was justifiable.

And we went through the full training, which was very intense, by Doctor Katz, and I can tell you, it changed most of our mindsets almost immediately and all of our mindsets upon the finishing of the program. You know, we had a core group of I want to say about ten to twelve leaders in the team that went about embarking on the initial phase of this program, and off we went to the schools. And every time we did it, we learned so much more and we kept bringing it back into our locker room.

And as anyone could imagine, a locker room with 50 or so alpha males, surrounded only by each other for six hours every day with no women present in the workplace, the language that was considered acceptable, and the humour that was considered funny, and the music and lyrics that were sung along to without much of a thought, could be quite horrendous from the view from an outsider.

And once we had acknowledged the realities of the situation and stood up and became leaders in the field and spokespersons, shall we say, that no longer became acceptable, because now, we were aware of the real issues. And we had now begun digging into tools that we could do to become bystanders ourselves and become role models for the young generation of how to go about this.

And now, we were faced with the reality of doing it. And you saw that various guys in our group now would -- you couldn't hear these things now, this language or this humour, and not speak up and to find creative ways that each person was comfortable with, depending on who they were dealing with, of addressing the issue, and telling them, "Hey," that you can't -- you know, "that's not going to be acceptable on this team,"

or, "Guys, we can't have that music playing anymore," or, you know, "That humour, that's just not funny."

And we're talking about our legal star MVP quarterback Travis Lulay being involved in this initiative. So he's a team leader. Myself, who was a six-time team captain -- you know, we had influential people that were now no longer allowing this to be acceptable. And that sort of trickled down. And slowly, all that noise just got turned down. And people realised this, just because it was acceptable -- or shall I say, was never addressed -- didn't ever make it right.

It doesn't mean it can always keep going on. And so, we were able to sort of break it in the conversation. And let's be honest. I mean, nothing happens overnight. It's not like a light switch and everything became great. But you've seen it more of a, I should say, a dial than a switch. And the noise and all of it has just been turned down over the years now to the point that you are the awkward one if you speak like that or try to bring that type of humour or that music, because now, it's spread into our entire culture of the team that this isn't right and this is not how we do things and this is not acceptable. And it gets crushed pretty quickly to the point that, you know, in our locker room today, in the BC Lions, it would be extremely rare to hear that type of language or that type of humour.

And I think it would be addressed right away, and it would not linger to anything that would keep going. And I'll be honest. You know, I grew up playing football since I was a little guy and I've been around sports my entire life. I never thought I would see a day where a locker room -- where there was respectful conversation and respectful humour, if you will, and literally -- and see it change this quickly. I've been pleasantly shocked.

Tracy: Tracy here, Heidi. I wonder if I also might just share a small anecdote in relation to your question. In terms of changing the culture within the BC Lions itself, there -- we have a -- we've had the pleasure of working with about six different spokespeople -- so, spokesmen, and Angus being one of them. And one of the things that I was astounded by is, first of all, 70 percent of Canadians say that they know a woman who has experienced either sexual assault or abuse in her relationships.

And so, the BC Lions are no different than the general population. Guys in the locker room will know women who have experienced this. And guys in the locker room are no different from the guys that Harry was talking about a little bit earlier, where there's that tendency for a group mentality. And so, the group -- the leader -- if the leader in the group is somebody who's espousing things that are sexualising of women, people can tend to go along with that. If the leader of the group is somebody who is not going to accept that kind of sexualising and disrespect, the group tends to go along with that.

And after the program began, and the next season that the guys that were in the locker room, you know, playing football, and there might have been some, you know, sexualising comments of women happening in the locker room, the guys shared with me is they suddenly, you know, kind of stopped in their tracks and kind of said, "Oh, my God. We have to say something. We can no longer accept this -- these kinds of comments happening around us in our own locker room." And Travis, who is the quarterback, spoke up and said, "Hey, man. Like, you know, we have to be more than bystanders, and our team is committed to this program where we're teaching people how to speak up about this. We can't allow this to go on." And he was backed up by some of the other spokesmen players in the locker room. And from what I understand is the locker room has cha -- has done about 180 degree turn.

Heidi: You know, it certainly goes to show the power of leading by example, which I think is, on some level, the essence of the Bystander Intervention training. And so, Tracy, maybe you could talk to us a little bit about what you've learned over the last six years that you've been delivering this training and how receptive the public has been to the program, in general?

Tracy: I knew when we first sat down with the BC Lions that this program would be big and it would be popular, because it has that element of surprise where people don't expect these big alpha males, who are the sort of ultimate image of masculinity in our society -- I knew it would be big, but I had no idea how big and how successful it would be. We've reached 86,000 people in person, in training, that the BC Lions have done, either at high schools or with indigenous communities. One of the spokesmen is J.R. LaRose, who is indigenous. And so, we have communities that are First Nations all across BC that want J.R. to come and lead this conversation with them.

We've been using the program and its messages a lot on social and mainstream media, and we've been tracking that. And we're close to about 500 million impressions of the message, either on Facebook or Twitter or on bus shelter signage that the city of Vancouver and the city of Surrey has given to us. The program has won numerous awards. The football teams, the CFL teams in Alberta and Manitoba and Ontario have picked it up.

And not only that -- we went to the CFL head office after that terrible video that went viral came out a few years ago of Ray Rice punching his fiancée into unconsciousness into an elevator, and went to the commissioner of the CFL and said, "You know, there are five teams now in the CFL that are doing some iteration of Bystander education and using the celebrity of football players to talk to youth about this issue. How about the CFL getting involved?" And to our great surprise and appreciation, the CFL just said immediately, "You're right. And we want to do something."

And we worked with them over the last year and a half and developed a workplace policy nationally that the CFL now has in place to ensure that anybody who is harmed in these ways, anybody who is part of the CFL community, will get help. Anybody who is doing the harm will get help. And if those behaviours don't change, there will be sanctions.

And not only that, we've also just finished training all of the teams across Canada -- not just the staff, but the players and the coaches. We also have just recently made a film of bringing the Bystander message into the workplaces of resource extraction communities. And this is another huge undertaking and has the potential, I think, to make huge social change, where we're trying to bring this program, which -- you know, trying to give everyone permission and encouragement and skills about how to speak up and what to say and what to do if you know violence was going on around you. But should take it to male-dominated workplaces, in particular, I think we have the potential to make great change.

So what I've learned is that there are really no bounds to the importance of encouraging people to speak up. Because, indeed, it's the silence that has got us to this epidemic in the first place, and it's the breaking of that silence that's going to get us out of this.

Heidi: It certainly sounds like the program is moving forward at amazing speed and with a great momentum. Do you have specific goals in mind for the future as to what you would like to achieve or how you would like it to move forward, maybe perhaps more definitively?

Tracy: Yes. So, as I mentioned, we made this film for the oil and gas and resource extraction industries, and we hope -- we're in dialogue right now with people that are part of the Canadian petroleum industry. And there's many different subsidiary companies about taking this program into camp, where, you know, I guess, for lack of a better word, they're sort of captive audiences where conversations can happen from a health and safety perspective.

We've also had the pleasure of sitting down with and presenting the program to various national and provincial trade unions, some of whom, for example, the BC Federation of Labour in BC, is supporting the program in terms of our work in schools. But we're also talking to the steel workers and [Unifor] and others. And so, from a workplace perspective, you know, I mean, there's the kinds of sexual harassment that Gail articulated so beautifully earlier in this call.

And the other aspect of this kind of violence is that it -- for those people that are suffering this at home, it doesn't stay at home when people go to work. And so, even if the harassment isn't happening in the workplace, if people are being harmed in their life, sexually assaulted in their relationship, or harassed or stalked in their life, the effects of that are brought to work. The vulnerabilities of that person come to work, and that can create vulnerabilities for co-workers.

And also, for the people that are doing the harm, that might be obsessed with stalking or harassing people, they can be distracted on the job. And if they're working with heavy equipment, if their job involves driving a truck or a car -- you know, I mean, an accident can happen in seconds. And so, the idea of bringing the More Than A Bystander concept into workplaces along with sexual harassment policies, I think is the way to go.

Heidi: Can you talk to us a little bit about where people can find additional resources, whether it be Best Practices videos, announcements, or even the film that you spoke to?

Tracy: Yes. So we -- and we also made another film that -- I should mention this. Our first film in this area is called "Be More Than A Bystander." And its audience is targeted more to youth. And Shaw Cable has been an incredible supporter of the program since day one. And anybody can see that film, if they're within the market between BC and Manitoba, and they are a Shaw customer. They can go to the Video On Demand section, which is where you usually go to rent movies. But type in the word "bystander," and it comes up for free.

If somebody wants to have their own copy of this film, they can certainly buy a copy of that by contacting the Ending Violence Association of BC. On our website, which is simply Ending -- www.EndingViolence.org -- there's a page that has -- that is populated with all kinds of ways of how somebody could be more than a bystander in a circumstance where you might be a stranger, at a bus stop or at a sports game or at, you know, at a soccer game, if you don't know the people.

So there's a section on our website that's called Be More Than A Bystander. And as I say, there's all kinds of ideas about how people can speak up, whether it's interrupting behaviour, or talking to somebody who's being abusive, or reaching out to somebody who is the target and asking her if she's okay.

We also have a YouTube page. So if you go to YouTube and then you type into the search bar "ending violence association of BC," we have many, many, if you -- for lack of a better word -- video assets there. We -- together, in partnership with the BC Lions -- have produced many public service announcements, and they're all posted there.

We also developed eight vignettes -- eight videos -- showing how you can be more than a bystander in various circumstances -- in a university setting, in a cla -- at a bus stop, in a classroom, at a restaurant, at a bar -- just to really try to show to people that it's not rocket science and it's not -- as you say -- it's not always a confrontive thing. Obviously, we want people to be safe and to be concerned about their safety first. But I think most people, because we haven't provided an opportunity to have this conversation in grade school or at the university level or in a workplace, I think most people just don't know what to say or what to do. And

there's a zillion things that people can say and can do that aren't confrontive.

And so, so between our website and the YouTube page, there is a lot of really concrete examples of what people can say and do.

Heidi: Excellent. Thank you very much. It is very clear that sexual harassment and sexual assault present more than just legal questions and issues for each of us; but rather, they point to what I would call very core societal issues. Obviously, the laws in Canada provide us -- and by "us," I mean employers, employees, and all Canadians, for that matter -- a structure to better understand what many would consider baseline obligations.

But from everything that was said today, it seems to be abundantly clear that we need to do so much more than just follow the letter of the law. We need to be better than what the law requires of us. We need to keep talking about these issues, as complex and as difficult as they might be. And we need to listen to each other. Everyone deserves to be heard.

And most importantly, what resonated so clearly for me today is that we need to break this silence. We need to shift this power balance that exists because of silence and take that power back by speaking out and being heard. Most importantly, we need to take a stand. Every single one of us needs to stand up and make it clear that we will no longer stand by and silently let sexual harassment and sexual assault happen. We are not just bystanders. We are all part of this. We're all part of the solution together.

If you or someone you know was a victim of sexual harassment or sexual assault, I would encourage you to access the many resources that have been referenced today. Details of where to find those resources and the Canadian Bar Association's Right Your Wrong campaign are provided on the Canadian Bar Association website, which is: www.cba.org.

I would like to thank all of our speakers today for their time, their passion, and their commitment. Thank you very much.

[End of recorded material 00:00:00]