

IN OUR OWN WORDS:  
TOWARDS A SURVIVOR-INFORMED RESPONSE TO SEXUAL HARM

By

Jennifer Good

Bachelor of Social Work, Ryerson University, 2020

An MRP

presented to Ryerson University

in partial fulfillment of the

requirements for the degree of

Master of Social Work

in the program of

Social Work

Toronto, Ontario, Canada 2022

© Jennifer Good 2022

#### AUTHOR'S DECLARATION FOR ELECTRONIC SUBMISSION OF AN MRP

I hereby declare that I am the sole author of this MRP. This is a true copy of the MRP, including any required final revisions.

I authorize Ryerson University to lend this MRP to other institutions or individuals for the purpose of scholarly research.

I further authorize Ryerson University to reproduce this MRP by photocopying or by other means, in total or in part, at the request of other institutions or individuals for the purpose of scholarly research.

I understand that my MRP may be made electronically available to the public.

## ABSTRACT

In Our Own Words: Towards a Survivor-Informed Care-Response

Master of Social Work, 2022

Jennifer Good

Program of Social Work,

Ryerson University

As a result of both the Black Lives Matter movement, as well as the ongoing violence inflicted upon Black individuals and communities by law enforcement in Canada and the United States, the prospect of abolishing or defunding law enforcement has entered public discourse as a tangible policy option. One common comment that upholds the legitimacy of law enforcement amidst the demand they be abolished is the question of interpersonal harm: without the police, who or what will protect survivors of harm? Given that only 3 in 1000 instances of sexual harm result in a conviction in Canada, law enforcement is actually a policy response to sexual harm that is underutilized and limited in its capacity to provide survivors with access to due process, justice, safety and healing following sexual harm. This qualitative inquiry seeks to amplify the perspectives of survivors themselves regarding their perceptions of and experiences with law enforcement, as well as what policy responses would have constituted adequate support following their experience(s) of sexual harm.

## LAND ACKNOWLEDGMENT

I acknowledge with respect that Ryerson University is situated on the territory of the Anishinaabe, Mississauga, Huron-Wendat and Haudenosaunee peoples. As an uninvited guest on this land, while I am grateful for the opportunity to live and work here, I also commit to being an ally of Indigenous communities in their struggle for sovereignty.

## ACKNOWLEDGMENTS

My journey back to the world of the living following sexual trauma has been facilitated by my privilege, my luck, my capacity as well as my family and broader community. This research was authored by me; however, it was facilitated by so many people who surround me who have propped me up when I wasn't sure if I was meant to exist. These are also people who believe in the work of confronting sexual harm and the systems that enable its continuation.

These people include:

Dr. Jennifer Poole: My supervisor, my teacher and my friend. If it weren't for you, I would have never returned to school following that last instance with sexual harm. Thank you for walking through the past decade with me; for showing up to my victim impact statement; for encouraging me to keep going at this MRP even though graduate school during covid was a wild time. Thank you for your teachings and for holding me close.

Karen Arthurton: Thank you for encouraging me to explore the traumatic outcomes of sexual harm that were preventing me from being able to focus in school and retain information. Giving myself that time and patience has been a gift that every trauma survivor deserves - every human for that matter. We are all worthy of our own attention and care.

Pamela Cross: Thank you for believing in me when I was still in the early phases of coming to terms with the patriarchy and the criminal and civil legal systems. Thank you for sharing the mic, passing the mic, and for ongoingly being an outspoken arbiter of change. Your wit, your heart and your persistence are unmatched. Simply being acknowledged by you, let alone being your friend, has provided me with the seeds of confidence I so badly needed to reimagine myself into

the shape of the person I am today. I no longer feel broken and that is in part due to your belief in me. I look forward to catching up soon.

Dr. Natasha Ermineskin: Thank you for allowing me to consult with you on the ethical complexity of conducting an inquiry regarding sexual harm as a white settler and on how to approach this work without contributing to the ongoing colonial agenda of story and knowledge appropriation and resource extraction. Thank you for holding my feet to the fire in years gone by when I was still unable to fully see the manner in which my privileged identity could be harmful to others. I have a lot to learn, a long way to go, and this work is far from perfect. However, holding me close in my process of learning and accountability means more than you can know.

Brea Hutchinson: Thank you for being the fierce, intelligent badass that you are; for standing behind your convictions; for standing up for your beliefs and for your endless work in building a more just world. Thank you for being willing to share your knowledge with me on multiple occasions. Knowing there's a 'you' out there in the world brings me comfort, joy and hope for a future where our bodies and minds are safe.

Sayyida Jaffer: Thank you for your humble and relentless work in activism. Thank you for taking the time to help me better understand how to do search work about sexual harm, and helping me to avoid some of the all-too-common pitfalls that accompany academics who try to speak out about oppression.

Destiny Laldeo: Thank you for being willing to speak with me about this project, for your insights, and your company in this world. I am forever grateful to you for all that you do and simply for your existence. I love you.

Jan Ohm: Thank you for teaching me, for being a sister, friend and mentor in the world of working to support people in their journey of surviving, recovering and healing trauma. Thank you for building a beautiful space for people to tend to their wounds and for generously sharing this space with me and supporting me in becoming a better practitioner. Your skillset as a trauma-informed psychotherapist and neurofeedback clinician is unmatched. I am forever grateful in your guidance and support as I toddle into my role as a care provider.

Shannon Moroney: Thank you for not sending me to juvenile court when I got caught graffitiiing the school in grade 9 and for being the best guidance counsellor I could have ever asked for. Thank you for taking up your healing with a mind for broader change and restorative justice. Thank you relentlessly supporting survivors of harm and for conceptualizing a form of care that bridges the legal world with the trauma recovery world. Thank you for your sunshine, your laugh and for being willing to share the opportunity of working towards change with me.

Dr. Linda Beckett: Thank you for walking with me for the past eight years, and for cradling me when I had very little hope for a future. Thank you for supporting me in rebuilding and discovering my strength when my sails were tattered and worn. Thank you for the standard of excellence you set in supporting and walking with people through their pain and their joy. You are truly one of my favourite people and I could not have asked for a better therapist.

Sandy Sellars: Thank you for standing behind and with me, believing in me and ongoingly removing obstacles that would have prevented me from achieving my potential. Your friendship, support and care have held me tight during many years of isolation. I look forward to a future of friendship and celebration. Thank you for existing: the world needs more ‘you’.

Linda and Jeff O’Neill: Thank you for my life and for holding me tight when death was knocking loud at the door. Thank you for walking with me through the storms and celebrating with me in the sunshine. Thank you for believing in me. Thank you for being the best parents I could ever ask for. I’m proud to be your daughter and proud to have shared this life with both of you.

Michael O’Neill: Thank you for being me almost-twin, my best friend, and my big brother. You’ve inspired me for my entire life, you never cease to teach me, make me laugh, and make me feel like there’s someone in this world who ‘gets it’.

Dustin Good; my beloved: Thank you for your partnership, for coming back into my life 15 years later and for becoming my chosen family. Your companionship has been my roadmap back to intimacy and love following a long struggle in isolation. Thank you for keeping me fed and hugged during this degree and for riding through covid 19 with me. I cannot wait to see where this life takes us. Also, thank you for sharing and supporting my love for the oxford comma. I love you.



## DEDICATION

This inquiry is the by-product of my personal struggle with sexual harm that began 18 years ago in deafening silence. As a survivor of childhood sexual harm, which was followed by three egregious sexual assaults in my teens and twenties (as is all too often the case for child survivors) the isolation, sense of fragmentation of self and the sense of sheer brokenness that accompanies the experience of sexual trauma is one that I am all too familiar with. When sexual harm first entered my life, it quashed my life dreams that were in their glorious, unfettered infancy. The spirit of my eleven-year-old self who wished to become a marine biologist; to own a cafe in Paris; to become a WNBA player with a seemingly limitless capacity to project myself onto the stage of life with aplomb was torn down. Sexual harm was the ocean that these dreams fell into and whose tides pulled them away from my grasp, along with my sense of belonging on this planet, my sense of connection to others, my sense of value as a human being, my capacity for joy, among other essential components deserved by all sentient beings. In writing this MRP, I acknowledge the eleven-year-old, sixteen-year-old, eighteen-year-old and twenty-one-year-old selves who suffered. I consider this MRP to be a time machine wherein I reach back to let every hurt version of myself know that I am now here to protect them from a world who was either indifferent or unable to provide the support that I so badly needed. I am here to witness and reassure them, as a good parent would. I consider this MRP to be a trophy that I clutch above my head atop a mountain whose climb almost killed me more times than I can count; where I shout out to the stars and to my sisters and brothers who know the isolation of harm that I speak of: I see you! I see us! We are not alone! We are meant to be here! We were never wrong! We were never bad! We are good enough and we always have been.

I humbly acknowledge and honour my sisters and brothers who know the suffering I describe, albeit each of us from our own distinct vantage point. Some of us who suffer, including myself, also carry the salves of privilege that allow us to tend to our wounds more easily than others. In my journey of reckoning with my wounds I continually learn that while I've often felt empty-pocketed and alone, my first-aid survival toolkit is teeming with privileges that indeed have facilitated my survival: privileges that I did not earn but that every human deserves.

I dedicate this MRP to all sexual harm survivors everywhere. I can never claim to comprehensively understand the critical minutia of your struggles nor your strength. I promise to continually search for my blind spots in order to hopefully contribute to a world where we are all witnessed equally.

## TABLE OF CONTENTS

Chapter 1 – Introduction	1
Chapter 2 – Literature Review	7
Chapter 3 – Theoretical Frameworks	19
Chapter 4 – Methodology	31
Chapter 5 – Findings	44
Chapter 6 – Discussion	65
Chapter 7 – Conclusion	78
Appendices	80
References	92

## LIST OF APPENDICES

Appendix A – Resource List	81
Appendix B – Email Script	85
Appendix C – Interview Guide	88
Appendix D – Research Consent Form	89

## **CHAPTER 1. INTRODUCTION**

Prior to beginning this paper, it is worth mentioning that I have made the conscious choice to format this work using the Chicago Manual of Style 17<sup>th</sup> edition, as opposed to the standard American Psychological Association style of formatting predominantly used in social work papers. This choice indicates my rejection of the approach to mental health care that the APA has facilitated through its ongoing publication and support of the Diagnostic and Statistical Manual of Mental Disorders. The DSM has been overwhelmingly adopted by practitioners as a means of understanding and treating mental health issues faced by individuals through characterizing mental health issues as a disease or sickness. Doing so obfuscates and erases issues of systemic oppression that impact the mental health of individuals thus allowing the impact of systemic oppression to remain unchallenged and depoliticized within biomedical and mental health professions. I hope for a future wherein health practitioners and society as a whole take accountability for systemic issues that contribute to madness or mental health challenges. Therefore, I have chosen to abandon the APA's approach to formatting within this social work research paper to signify my overall rejection of the manner in which they approach the mental well-being of people.

The following MRP is an interruption of current policy responses to sexual assault<sup>1</sup> in so-called Canada<sup>2</sup>, and the epistemic roots of Canadian sexual assault policy. I am a survivor<sup>3</sup> of multiple sexual harms who now works directly with survivors of sexual harm in their process of survival or recovery. Informed by these experiences, I posit that current policy responses to sexual harm - particularly law enforcement and the legal system - rarely provide the support to survivors that they claim to foster. Such claims include access to justice, accountability, closure and safety. In fact, law enforcement and the legal system as sexual harm response policies may

---

<sup>1</sup> Sexual assault' is a term that has been appropriated by the Canadian legal system. The term sexual assault now represents a legal definition reflective of settler-colonial values of 'objectivity', 'universal truth', and places the burden of proof on survivors instead of centering the experiences of survivors as legitimate and primary. Wherever possible in this paper, 'sexual assault' will instead be referred to as 'sexual harm' for the purposes of inclusivity and as a tool to subvert the unearned authority that the Canadian legal system has assumed in determining the legitimacy of sexual harm survivors' experiences.

<sup>2</sup> The use of the term 'so-called Canada' is intended to acknowledge Canada's settler-colonial history and present perpetuation of land theft and appropriation from Indigenous people and Nations. From here on I will refer to this land as 'Canada'. However, the use of the term 'Canada' is in no way intended to affirm the legitimacy of Canada's sovereignty.

<sup>3</sup> The term 'survivor' is used within this MRP as a common noun to refer to people who have experienced sexual harm in all of its forms. 'Survivor' is a broad term that reflects a wide spectrum of experiences held by a diversity of humans who occupy varying subject positions and intersectionality's. The commonality among those who fall under the umbrella term 'survivor' is that they have experienced sexual harm in one form or another, or multiple forms. 'Surviving' is also a verb that describes the process of how people who have experienced sexual harm learn to co-exist with the experience and the challenges presented by sexual harm and how it is taken up by our communities, institutions and society at large. The term 'survivor' is intended to subvert the term 'victim' or 'witness' which have been co-opted by the criminal and civil legal system to describe individuals who have been deemed as having experienced sexual harm by law enforcement. The term 'survivor' is also intended to subvert the meanings associated with the term 'victim' which positions people who have experienced sexual harm as universally powerless. The use of the universal term 'survivor' is in no way intended to conflate or overly-generalize the distinct and diverse experiences of sexual harm and its outcomes. Furthermore, the term 'survivor' occupies a certain degree of privilege, as many people who have experienced sexual harm do not have the privilege of surviving the experience. Many people who have experienced sexual harm die as a result of the immediate violence associated with sexual harm, or the systemic violence that often ensues following the experience of sexual harm. Further still, many people who experience sexual harm experience what could be defined as 'death' without the loss of physical life. Sexual harm has been used as a tool to kill culture, spirit, soul, and sense of home and sense of belonging. Many of those who have experienced sexual harm do not have the privilege of identifying with the term 'survivor'. For the purposes of this MRP, the term survivor will be used, however, it is done so with the recognition that sexual harm is often not survived, nor is it a term that describes a singular experience or a universal struggle.

do more harm to the majority of survivors than good, and may operate as an incubator<sup>4</sup> for what is often referred to as ‘rape culture’<sup>5</sup>.

Following an experience of sexual harm and human trafficking in Toronto, Ontario in 2013, I reported the incident to law enforcement and was provided with the privileged<sup>6</sup> opportunity to pursue criminal and civil charges against the person who harmed me. I reported the assault due to a lack of viable alternative options for maintaining my safety as the majority of Canadian communities are currently ill-equipped to adequately support survivors of sexual harm. However, prior to filing a police report, I was aware that Canadian law enforcement and the criminal legal system have a history of victim-blaming and failing to provide justice, healing, or safety for the majority of sexual assault survivors<sup>7</sup>. Although the person who harmed me was convicted, the process of participating in both the criminal and civil legal system confirmed to me that seeking legal recourse for sexual harm is indeed a traumatic experience, and lacks the capacity to foster conditions of safety and support for survivors of sexual harm<sup>8</sup>. Not only are the criminal and civil legal systems rarely made accessible to survivors of sexual

---

<sup>4</sup> Armatta, “Ending Sexual Violence Through Transformative Justice”, 10. Sered, “Accounting for Violence”, 4-31.

<sup>5</sup> Rape Culture’ is a society or environment whose prevailing social attitudes have the effect of denying, normalizing, trivializing, undermining sexual harm and its impact, as well as providing conditions wherein sexual harm is enabled, encouraged or tolerated.

<sup>6</sup> As a white, cis-gendered, able-bodied, thin, woman who was assaulted by a stranger, I am afforded disproportionate opportunity to favorable and fair treatment from the settler state legal-system because I and my circumstances represent a kind of victimhood that has historically been viewed as ‘legitimate victimhood’ within the criminal legal system. Recovery and healing are privileges not afforded to the majority of survivors, as both require that a survivor have access to certain resources and conditions that enable healing. Resources that facilitate recovery and healing include but are not exclusive to: accessible, affordable housing; food security; communities and domestic environments that are free from interpersonal and systemic violence; a living wage in order to safely sustain oneself economically; and access to a caring and consistent support system.

<sup>7</sup> Boutilier and Wells, “The Case for Reparative and Transformative Justice, 4-28.

<sup>8</sup> Armatta, “Ending Sexual Violence Through Transformative Justice”, 23-32.

harm as a result of a complex web of systemic discrimination<sup>9</sup>; the process of seeking legal recourse is often harmful in and of itself<sup>10</sup>.

In the years following my participation in the criminal and civil legal systems, I have dedicated my life to providing informal and formal support for survivors of sexual harm who are doing the work of surviving, and at times recovering and healing. During this time, and as I outline in this MRP, the complexity of *why* law enforcement and the legal system may do more harm than good for survivors in their process of survival and recovery has come into focus, as well as *why* reforming law enforcement or legal practices may not result in survivors having heightened access to, or favorable outcomes from these systems<sup>11</sup>. It is my perspective that the abolition of law enforcement and the Canadian legal systems are the only course of action that will truly result in a culture where a) the rate at which sexual harm occurs will significantly decrease and b) survivors can seek meaningful recourse for sexual harm without being retraumatized, or worse still, criminalized. I have come to this perspective partially through observing the overwhelming majority of survivors whom I work with either being harmed by the legal system or excluded from it entirely. I have also come to this perspective through years of researching and advocating for legal reforms in hopes of salvaging the Canadian legal system as a sexual harm response policy. The infamous words of Audre Lorde “*You cannot dismantle the master's house with the master's tools*”<sup>12</sup> perfectly highlights why law enforcement and legal

---

<sup>9</sup> Sheehy and Johnson, “Limits of a Criminal Justice Response”, 613-635.

<sup>10</sup> Rich, “Trauma-Informed Police Responses to Rape Victims”, 463.

<sup>11</sup> Armatta, “Ending Sexual Violence Through Transformative Justice” 2-32.

<sup>12</sup> Lorde, *The Master's Tools Will Never Dismantle the Master's House*.



reform will not result in better conditions for survivors of sexual harm who seek justice. From this vantage point, the question arises of what is justice, and does the legal system have the capacity to produce a form of justice that is meaningful for survivors of sexual harm? Law enforcement and the legal system are predicated on force, coercion, and the protection of private and state property<sup>13</sup>. Simply put: the purpose of law enforcement and its adjacent legal systems are not to facilitate healing among humans nor to protect victims of crime. The Canadian criminal and civil legal systems were designed to protect the legitimacy of settler-state sovereignty by representing the criminal code, and by protecting the property of those who live within the circumscribed geographic areas that the Canadian settler-state has claimed ownership over<sup>14</sup>. This structure of the legal system has particularly grim implications for Indigenous people whose land Canada is situated upon, and also for Black Canadians who, at one point in time, were considered to *be* private property<sup>15</sup>. Through an abolitionist lens, the purpose of the legal system is not a means of providing safety for people living within the boundaries of a state, nor was it ever. In fact, the legal system has often operated as a tool intended to facilitate the systematic social control over Black and Indigenous People<sup>16</sup> through disproportionate criminalization and incarceration, or what is referred to by the Yellowhead Institute as ‘carceral redlining’<sup>17</sup>. An abolitionist perspective would suggest that the equal distribution of essential

---

<sup>13</sup> Walcott, “On Property”

<sup>14</sup> Nettleback and Smandych, “Policing Indigenous Peoples”, 357

<sup>15</sup> Ibid

<sup>16</sup> Maynard, “*Policing Black Lives*”, 85.

<sup>17</sup> Reece, “Carceral Redlining: White Supremacy Is a Weapon of Mass Incarceration For Indigenous And Black Peoples In Canada.”

resources and services across all communities, as opposed to the use of law enforcement and other legal apparatus, would perhaps be the most effective means of reducing interpersonal violence within communities.

I felt a certain urgency to pursue this inquiry following the murder of George Floyd in June of 2020. While Black death at the hands of law enforcement is alarmingly common in both Canada and the United States, it was Floyd's death that ushered abolitionism to the forefront of mainstream discourse. Suddenly, the Black Lives Matter movement and abolitionists long-standing calls to defund and/or abolish the police became tangible in a manner that has not occurred before. However, one common comment that upholds the legitimacy of law enforcement amidst the demand they be abolished is the question of interpersonal harm: without the police, who or what will protect survivors of harm? It is here that a discursive space opens for me, a survivor of sexual harm, to respond: So what? While law enforcement and the legal system have symbolized safety from sexual harm within mainstream discourse, do they deserve the title of protector and creator of safety? I argue that they do not. It is both inaccurate and insulting for the experiences of survivors of harm to be used to buttress the legitimacy of law enforcement, and as a weapon to delegitimize the prospect of law enforcement abolition. Not only does law enforcement rarely operate as an intervention or response to sexual and interpersonal harm<sup>18</sup>, the manner of intervention they provide serves only a privileged minority of survivors, or survivors with a very specific experience of sexual harm<sup>19</sup>. Furthermore, there is little about the underpinning principles and histories of law enforcement

---

<sup>18</sup> Boutilier and Wells, "The Case for Reparative and Transformative Justice, 4-28.

<sup>19</sup> Razack, "*Race, Space and the Law*", 122-156.

intervention that foster a reduction in the rate at which interpersonal harm occurs within Canadian society.

The failure of Canadian law enforcement, and both the criminal and civil legal systems to respond to and prevent sexual harm begets the question: what policies would keep people safe from sexual harm? In order to answer this question, there appears to be no better approach to inquiry than asking survivors of sexual harm themselves. Survivors' lived-experiences and first-hand perspectives are palpably absent from policy and research pertaining to sexual harm. However, survivors of sexual harm are the people who best understand the complex experience of sexual harm and how it intersects with the diversity of identities we occupy. The epistemic underpinnings of this inquiry are rooted in the perspectives of sexual harm survivors. The hope is that if survivors are positioned as experts within the knowledge production process which informs sexual harm policy, perhaps policies that actually keep us safe and reduce the rate of sexual harm will be realized. This inquiry will explore the following:

1. Sexual harm survivors' perspectives on and experiences with law enforcement and;
2. Potential sexual harm policy frameworks that are informed by survivors' first-hand perspectives.

## CHAPTER 2. LITERATURE REVIEW

At the crux of this inquiry is the question of whether or not the State and its adjacent institutions occupy the capacity to meet the needs of *all* survivors of sexual harm, and whether or not law enforcement as a sexual harm response policy reproduces the conditions under which sexual harm occurs. This chapter is a review of existing research regarding sexual harm response policies currently in use in Canada and the United States. For this literature review, I sought out research that strictly examined the experiences of sexual harm survivors and sexual harm policy born of feminist and legal scholars and epistemological frameworks. However, in doing so I encountered limitations regarding the scope of critical analysis of the experiences of survivors. These limitations include:

- A lack of research that reflects how systemic discrimination by the State on the basis of a survivor's race, ethnicity, gender identity, sexuality, economic status, ability, among other identities, impacts survivors' capacity to access meaningful legal recourse. Existing research often cites having engaged participant pools with varying identities. However, the findings of such research rarely reflect the differential experiences of survivors based on said identities and demographics. In doing so, survivors' experiences are cast as a monolith, unimpacted by the manner in which our varying identities are taken up by society, legal systems and the state.
- A lack of historical and structural context that speaks to *why* law enforcement and the legal system may not be an appropriate vehicle for providing survivors with due process, justice and safety. This includes a lack of context regarding the legal system as a structure which was initially designed to protect private property; to support the appropriation of Indigenous land; as well as to act as an enabler of chattel slavery.

While feminist and legal research regarding sexual harm and the legal system hones in on some of the immediate policy and institutional barriers that sexual harm survivors experience following sexual harm, the literature lacks a firm structural critique and response. As a result, the majority of this MRP is not informed by the literature examined in this section. The theoretical frameworks portion of this MRP operates as a secondary literature review which depicts the findings of theorists who work from epistemologies such as Anti-Colonialism, Abolitionism, Anti-Black Racism and Intersectional Feminism. The hope is to implicitly highlight the manner in which feminist and legal scholarship are found wanting in terms of their efficacy in pointing out *why* the legal system and law enforcement rarely provide the support that survivors may need. Feminist and legal research often examine what is ‘not working’ within state policy and the legal system regarding sexual harm response without pulling up the issue by the root and asking: was it ever designed for survivors of sexual harm in the first place, and if not, why would we assume it to be an appropriate arbiter of justice and support for all survivors? One might wonder why I would remain committed to examining feminist and legal scholarship within this literature review. I have chosen to include these worldviews within this inquiry because I am, to the best of my ability, writing for survivors. While I may believe that the legal system is perhaps not worthy of our time and energy as a means of obtaining justice or support; I realize that many survivors yearn to take up their experiences of harm legally. To exclude literature that speaks to the issues within contemporary legal policy and practise that impact survivors would be to speak on behalf of survivors in a way that is presumptuous and exclusionary. Some survivors find meaning in seeking legal recourse and I hope for this MRP to touch on some of the issues that they may face in this process.

## Themes

The following themes were drawn from the literature currently under review:

- 1) The value of informal support providers (SPs: family, friends or partners) in sexual harm survivors' lives, as well as some of their current limitations.
- 2) Revictimization and alienation of survivors by law enforcement and the legal system

## *Epistemological underpinnings*

The diverse and unique experiences of survivors are slowly being deemed worthy of study by academics and their voices are slowly entering academia as a form of expertise. This suggests that academia may be inching closer to being in solidarity with survivors and away from pathologizing and erasing our experiences by speaking on our behalf; as has been the case with most post-positivist approaches to researching sexual harm<sup>20</sup>.

Three of the studies included in this review use constructivist grounded theory as their approach to inquiry and employ symbolic interactionism as a theoretical lens<sup>21</sup>. The three studies at hand were conducted by an overlapping group of scholars<sup>22</sup>. All of the authors

---

<sup>20</sup> Garrow and Hasenfeld, "The Epistemological Challenges", 494-502. Neuman, "The Meanings of Methodology", 90-122.

<sup>21</sup> Charmaz, "The Power of Constructivist", 34-35. Creswell and Poth, "*Qualitative Inquiry*". Healy, "Postmodern Practices", 193-216.

<sup>22</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. O'Callaghan, Shepp, Ullman, "Navigating Sex", 1045-1057.

belong to schools of criminology, law and justice; disciplines that typically favour post-positivist paradigms and quantitative inquiries. The topics chosen by the authors address gaps in legal knowledge about survivors of sexual harm which are known to undermine survivors who attempt to engage the legal system in responding to sexual harm. For instance, one study focuses on the experiences of survivors with the legal system following assault<sup>23</sup>. The study defends survivors' decision to not report through highlighting the overwhelmingly negative experiences reported by survivors who engage the legal system. This is important because the experiences of survivors who do not report are often invalidated in social and legal discourses due to the popular idea that reporting sexual harm somehow proves the credibility of a survivor. The study fails, however, to comment on the systemic change that would be required for survivors to gain fair access to legal recourse. Instead, the study underlines the harm that the legal system can cause survivors and cautions SPs and survivors to carefully consider reporting<sup>24</sup>.

A second constructivist grounded theory study by the same group of authors explores survivors' relationship to sex and sexuality following sexual harm<sup>25</sup>. This is relevant research, as the legal system often weaponizes survivors' sexual behaviour and sexual history as a means of discrediting their claims of having experienced sexual harm<sup>26</sup>. Attorney David Butt has succinctly pointed out that in sexual assault trials defense attorneys overwhelmingly use 'sluts or nuts' mythology to invalidate survivors claims of sexual harm. 'Sluts or nuts' mythology is

---

<sup>23</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287

<sup>24</sup> Ibid.

<sup>25</sup> O'Callaghan, Shepp, Ullman, "Navigating Sex", 1045-1057.

<sup>26</sup> Sheehy and Johnson, "Limits of a Criminal Justice Response", 613-635.

the idea that a survivor is either a slut, or is crazy, but most certainly was not assaulted<sup>27</sup>. This insidious approach to discrediting survivors who are in the role of victim witness is challenging for survivors, advocates, civil lawyers and crown attorneys because it engages antiquated tropes that remain operational within western discourse of assessing the overall worth and credibility of women and their claims of having experienced violence on the basis of their sexual behaviour or mental health status. Even more challenging is that often a survivor's mental health and approach to sexual activity change following an experience of sexual harm. While 'sluts or nuts' mythology ought to have no place in a court room as a means of discrediting a survivor, there *is* a place for discussing these topics as they can be indicative of the validity of the impact that sexual harm has on a survivor's mental health and relationship to sex. What matters about this study is that it explains how and why a survivors' sexual behaviour may change following an assault<sup>28</sup>. This type of data is vital for expert witnesses, prosecutors and crown attorneys who are representing survivors. However, the study neglects to make suggestions of significant structural change within the legal system, and instead leans towards reformist arguments of augmenting survivors' access to legal and personal support systems following an assault.

The Canadian HIV/AIDS Legal Network's gray-study on sex workers' experiences with law enforcement in Ontario adopts a critical paradigm with a narrative approach to inquiry<sup>29</sup>. The study uses the firsthand experiences of sex workers to provide a thick

---

<sup>27</sup> Enright, "Fixing a Broken System".

<sup>28</sup> O'Callaghan, Shepp, Ullman, "Navigating Sex", 1045-1057.

<sup>29</sup> Canadian HIV/AIDS Legal Network, "Perils of Protection". Creswell and Poth, "Qualitative Inquiry". Neuman, "The Meanings of Methodology", 90-122.



description of the ways in which legal policies endanger the lives of sex workers through criminalizing their livelihood. The study also addresses the ways in which individual officers both ignore sex workers who report sexual harm and worse still, often inflict sexual harm upon sex workers<sup>30</sup>. A narrative approach to inquiry allows for the results and discussion of the study to use the direct words of sex workers themselves. The final implication put forward by the study was a call to action for all aspects of sex work to be decriminalized as a structural means of enhancing sex workers' safety. The participatory approach to the research (Involving participants at all levels of the research discussion), as well as politicizing the struggles of sex workers with law enforcement and contextualizing said struggles as an issue of structural oppression suggests this study is guided by a critical social science paradigm<sup>31</sup>. It is this study that most aligns with how I hoped to approach the present inquiry, as it is co-constructed by the 'researched' and 'researcher'. If anything, participants voices and insights fill more space than those of the researchers, and their deeply personal experiences result in calls for systemic change.

Two of the studies under review adopted a post-positivist paradigm<sup>32</sup>. Both did so for the purposes of interrogating power relations<sup>33</sup>. Venema's study about rape myth acceptance (RMA) by law enforcement uses EBP and quantitative measures to interrogate assumptions made by law enforcement regarding sexual harm survivors' credibility. In doing

---

<sup>30</sup> Canadian HIV/AIDS Legal Network, "Perils of Protection".

<sup>31</sup> Neuman, "The Meanings of Methodology", 90-122.

<sup>32</sup> Grey, Plath and Webb, "Evidence-Based Social Work: A Critical Stance". Neuman, "The Meanings of Methodology", 90-122. Venema, "Making Judgements", 2697-2722. Weist et al., "African American and White Women's Experience of Sexual Assault", 901-916.

<sup>33</sup> Grey, Plath, and Webb, "Evidence-Based Social Work: A Critical Stance"

so, the correlation between an officer's degree of RMA and their degree of willingness to investigate reports of sexual harm is exposed, demonstrating that officers with a greater degree of RMA are less likely to investigate reports of sexual harm<sup>34</sup>. This work challenges the notion that the legal system operates from an objective standpoint, free from discrimination and oppressive status quos. This type of quantitative data is vital for survivors and advocates who challenge the legitimacy and efficacy of the legal system's handling of sexual harm.

Weist et al. adopt a quantitative methodology to explore the difference between white womens' and African American womens' experiences with sexual assault mental health services<sup>35</sup>. The study quantifies a tangible difference in the degree to which white women and Black women access services for sexual assault. In doing so, the study demonstrates that social services for sexual assault survivors are designed in a manner that privileges the needs of white survivors. These studies combined denotes that mainstream policies for sexual harm response are not designed to support large portions of the survivor population.

#### *Informal support providers (Informal SPs)*

In the literature reviewed, survivors overwhelmingly chose to disclose sexual harm to informal SPs following an assault<sup>36</sup>. Understanding the role of informal SPs in survivors' experiences following sexual harm provides insight into the ways in which communities can support a survivor's process of negotiating the outcomes of sexual harm, as well as the ways that community members can intentionally or unintentionally re-

---

<sup>34</sup> Venema, "Making Judgements", 2697-2722.

<sup>35</sup> Weist et al., "African American and White Women's Experience of Sexual Assault", 901-916.

<sup>36</sup> Ahrens and Aldana, "The Ties That Bind", 226-243. Shepp, O'Callaghan and Ullman, "Interactions with Offenders", 725-747.

victimize survivors of sexual harm. Revictimization can occur through community members perpetuating victim-blaming behaviours or participating in sex with a survivor that emulates sexual harm either through the nature of their sexual interaction or a lack of ongoing consent<sup>37</sup>.

Informal SPs occupy a significant role in a survivor's life following sexual harm. Survivors typically disclose sexual harm to an informal SP before anyone else<sup>38</sup>. An informal SP's reaction to a survivor's disclosure and the way in which they offer support has a significant impact on a survivor's recovery outcomes<sup>39</sup>. Furthermore, SPs have the capacity to either support a survivor in reframing a traumatic experience in a manner that is beneficial to the survivor, or alternately to revictimize a survivor through conduct that echoes their experience of harm<sup>40</sup>. It is therefore critical that communities and informal support providers are considered as foundational to the process of reshaping sexual harm response and prevention models, and that they are provided with psychoeducational tools to support them in their role as SPs<sup>41</sup>.

A study by Lorenz, Kirkner and Ullman exploring survivor's legal system experiences demonstrates that when faced with the decision about whether or not to report sexual harm to law enforcement, survivor-participants took the advice of their informal SPs 100% of the time<sup>42</sup>. This

---

<sup>37</sup> O'Callaghan, Shepp, Ullman, "Navigating Sex", 1045-1057. Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. Shepp, O'Callaghan and Ullman, "Interactions with Offenders", 725-747.

<sup>38</sup> Ahrens and Aldana, "The Ties That Bind", 226-243.

<sup>39</sup> Ahrens and Aldana, "The Ties That Bind", 226-243. Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. Shepp, O'Callaghan and Ullman, "Interactions with Offenders", 725-747.

<sup>40</sup> O'Callaghan, Shepp Ullman, "Navigating Sex", 1045-1057.

<sup>41</sup> Shepp, O'Callaghan, and Ullman, "Interactions with Offenders", 745.

<sup>42</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287

demonstrates the high degree of influence that informal SPs have in how survivors negotiate their experiences of sexual harm. What this statistic also suggests is that survivors' informal SPs may be listening and collaborating in decision-making with them as well as respecting their agency<sup>43</sup>. Survivors' collaboration with others in responding to sexual harm has a tangible impact on their choices<sup>44</sup>. This suggests that informal community-based frameworks for sexual harm response already exist and could be a valuable component of non-legal policy frameworks for sexual harm response and prevention.

In exploring sexual harm survivors' approach to sex and sexuality following an assault, literature demonstrates that SPs who are also sexual partners to survivors are often unclear as to how to navigate their dual roles as SPs and intimate partners<sup>45</sup>. This dual role has been shown to have the potential to support survivors in reclaiming an empowered relationship with sex; but alternately risks survivors being revictimized by their SPs<sup>46</sup>. The implication of this study is that while SPs are vital in supporting a survivor's recovery, it is necessary for communities to be well-informed about topics relating to sexual harm such as consent, rape mythology, and trauma-informed approaches to sexual intimacy.

### *Law enforcement and state intervention*

---

<sup>43</sup> Shepp, O'Callaghan and Ullman, "Interactions with Offenders", 725-747.

<sup>44</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. O'Callaghan, Shepp, Ullman, "Navigating Sex", 1045-1057. Shepp, O'Callaghan, and Ullman, "Interactions with Offenders", 725-747.

<sup>45</sup> O'Callaghan, Shepp and Ullman, "Navigating Sex", 1045-1057.

<sup>46</sup> Ahrens and Aldana, "The Ties That Bind", 226-243. Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. O'Callaghan, Shepp and Ullman, "Navigating Sex", 1045-1057.

Multiple studies highlight the traumatic impact of law enforcement and the criminal and civil legal systems on sexual harm survivors<sup>47</sup>. This trauma is partially related to the high attrition rate of sexual assault, which is often related to law enforcement officers' perception of a survivor's credibility<sup>48</sup>. Being discredited by law enforcement following an experience of sexual harm is often a traumatic experience<sup>49</sup>. It has been demonstrated that law enforcement officers with a high level of rape-myth acceptance (RMA) are less likely to investigate sexual assault reports<sup>50</sup>. The majority of survivors who report sexual assault regret doing so, and the majority of those who do not report do not regret it<sup>51</sup>. Further still, it is common for law enforcement to take advantage of their power and authority: law enforcement officers are often accused of perpetrating sexual harm against overly-criminalized demographics, such as sex workers, undocumented women, or Indigenous women<sup>52</sup>. It has been demonstrated that the majority of survivors of sexual harm of any race or ethnicity are reticent to report to law enforcement<sup>53</sup> due to the wide range of negative impacts law enforcement and the legal system may have on their lives<sup>54</sup>.

---

<sup>47</sup> Canadian HIV/AIDS Legal Network, "Perils of Protection. Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. Venema, "Making Judgements", 2697-2722.

<sup>48</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287. Venema, "Making Judgements", 2697-2722.

<sup>49</sup> Doolittle, *Had It Coming*.

<sup>50</sup> Venema, "Making Judgements", 2697-2722.

<sup>51</sup> Lorenz, Kirkner and Ullman, "A Qualitative Study", 263-287.

<sup>52</sup> Canadian HIV/AIDS Legal Network, "Perils of Protection".

<sup>53</sup> Weist et al., "African American and White Womens' Experience of Sexual Assault", 901-916.

<sup>54</sup> Ahrens and Aldana, "The Ties That Bind, 226-243. Canadian HIV/AIDS Legal Network, "Perils of Protection.", Lorenz, Kirkner and Ullman, "A Qualitative Study, 263-287. Venema, "Making Judgements", 2697-2722. Weist et al., "African American and White Women's Experience of Sexual Assault", 901-916.

### *Context, limitations and disclosures*

None of the authors identified themselves as ‘insiders’, or as sexual harm survivors. While the majority of studies at hand amplify the lived experiences and perspectives of survivors, the lack of disclosure regarding the authors’ insider or outsider identities raises questions as to who is speaking on behalf of survivors. As a survivor, I am dubious of those who speak on our behalf, particularly academics. From Freud onward, academia has employed discriminatory, pathologizing, criminalizing and abjectly inaccurate language to describe survivors and their lived experiences<sup>55</sup>. However, I am also aware that for many survivors disclosure is a privilege unavailable to them. While sexual harm has gained public attention in recent years, those who survive sexual harm often remain silent about their experiences.

None of the authors socially locate or position themselves within their work. A quick search of their names in Google demonstrated that the overwhelming majority of the authors are white. The participant pools include a wide range of ethno-racial identities. However, the authors’ whiteness and their palpable silence regarding their whiteness, along with the western academic setting of their work, suggests that white, Eurocentric worldviews may be upheld and unchallenged in their results. Furthermore, all but one of the studies neglect to identify race and ethnicity-specific results. Recruiting and reporting the use of ‘ethnically diverse’ participant pools, without specifically addressing the compounding issues of race and ethnicity as it relates

---

<sup>55</sup> Herman, “Trauma and Recovery”, 7-32

to sexual harm in the research findings is a form of erasure and casts survivors as a monolithic group<sup>56</sup>.

I am reminded that throughout the process of research, it is critical that the implications of my identity as a white woman working within a privileged academic setting, who is also a survivor, be considered within the research design. I occupy a specific experiential lens of sexual harm which cannot be universalized, nor can it protect those I work with (i.e., participants) from being re-marginalized within the research process. In attempting to gain insight regarding how sexual harm survivors would imagine a survivor-informed care-model for preventing and responding to sexual harm, I am at risk of re-entrenching white supremacy and epistemic hegemony in my position as a white researcher<sup>57</sup>. Appropriating the stories and ideas of historically excluded demographics of survivors and presenting them as my own, for my own professional benefit, is a risk<sup>58</sup>. Were this to occur, it would be a form of epistemic colonization<sup>59</sup>, and could harm the very people I hope to be in solidarity with. Other risks include tokenizing other survivors on the basis of their identities. While it is critical that my participant pool includes a diversity of demographics of survivors, it would be unethical to simply seek out individuals on the basis of their race, ethnicity, or other identities, without including them as researchers. Aside from occupying the privilege of academic opportunity, there is no reason for me to be the researcher and other survivors the researched. These considerations ought to shape the paradigm and approach to inquiry applied to this MRP

---

<sup>56</sup> Hunter, "Rethinking Epistemology", 119-138.

<sup>57</sup> Fitzgerald, "Powerful Voices", 233-245.

<sup>58</sup> Ibid.

<sup>59</sup> Hunter, "Rethinking Epistemology", 119-138.

### CHAPTER 3. THEORETICAL FRAMEWORKS

This inquiry is an interruption of traditional interpretations of justice through directly asking survivors of sexual harm about their experiences with the formal legal system. It also attempts to understand what forms of care would have constituted actual support following participants' experiences of sexual harm. How can we effectively respond to sexual harm in a manner that supports survivors and their communities? How do we transcend the individualizing and paradoxical positioning of people who sexually harm, where the harm they inflict either a) is aided, abetted and defended by their surrounding community, or b) results in them being ostracized and vilified? These questions aim to situate sexually violent behaviour as an inevitable by-product of systemic power-relations that inform much of Canadian culture.

Inquiring as to how law enforcement is understood and taken up by survivors, combined with sexual harm policy as imagined by sexual harm survivors is a poly-issue topic requiring a poly-theoretical lens. The following chapter will walk through each theory applied to this MRP, with a brief explanation as to why it has been incorporated as a theoretical foundation. The following theories will be explored:

- Anti-Colonialism
- Abolitionism
- Anti-Black Racism
- Intersectional Feminism

*Anti-colonialism*



Anti-colonial theory situates sexual harm as an underlying feature of settler colonialism<sup>60</sup>. This section will explore how settler colonialism intersects with patriarchy within the context of law enforcement and sexual harm. Within colonialism, patriarchy operates as an ideology and practise which enables violence, particularly violence against women, to be harnessed as a tool to secure settler control over land<sup>61</sup> without inflicting reputational damage upon the European narrative of settler tactics used throughout their conquest for land appropriation. While mainstream movements against sexual harm tend to demand individual reforms, such as ‘men needing to be better’, rarely do we see such movements draw links between the founding political ideologies of Canadian culture and the perseverance of sexual harm within colonized spaces and settler-states. Given the overwhelming rate at which sexual harm occurs in Canada, it is hardly conceivable that sexual harm is a phenomenon free from root causes and strictly the result of individuals who have independently fostered an ethos of violence<sup>62</sup>. Contextualizing sexual harm within the structure of settler-colonialism provides insight as to why it is such a persistent problem in Canadian society. It may also explain why law enforcement is largely ineffective at preventing sexual harm and responding to its occurrence. In order to develop policy frameworks that effectively address sexual harm, it is vital to look beyond individual acts of violence and instead seek their root-cause: what is it about Canadian culture that allows sexual harm to persist? Uncovering systemic causes of sexual harm may provide insight into policy frameworks that transcend the criminalization of

---

<sup>60</sup> Smith, “Not an Indian Tradition.”

<sup>61</sup> Ibid

<sup>62</sup> Armatta, “Ending Sexual Violence Through Transformative Justice”, 2-32.

individuals who harm as the go-to policy for resolving individual instances of sexual harm. Anti-colonial theory may have the capacity to address some of these issues.

Canada is a settler state whose legitimate claim to sovereignty is predicated upon settlers preserving control over land appropriated from Indigenous People and nations<sup>63</sup>. Settler colonialism is an approach to nation-state development that hinges upon colonial powers maintaining a monopoly on the use of so-called legitimate force<sup>64</sup>. The Canadian settler-state was and is predicated upon enforcing European worldviews and culture upon Indigenous people and nations through coercion and violence<sup>65</sup>. Such technologies included, but were not exclusive to: residential schools, law enforcement, and the enforcement of patriarchy upon Indigenous Matriarchal societies. Of particular interest to this inquiry is the role of colonialism in aiding and abetting sexual harm. Also of interest is the role of law enforcement in the creation of the Canadian settler-state, and how this history may render law enforcement an inappropriate medium for preventing and responding to sexual harm.

Prior to settler contact, women were central to the political organization of Indigenous nation-states<sup>66</sup>. Women have traditionally occupied the role of hereditary Chiefs within Indigenous political structures<sup>67</sup>. Women also play a central role within Indigenous creation stories, which provide the organizing frameworks for Indigenous cultural practices and

---

<sup>63</sup> Razack, "*Race, Space and the Law*", 23-46.

<sup>64</sup> Ibid.

<sup>65</sup> Smith, "Not an Indian Tradition."

<sup>66</sup> Simpson, "*Dancing On Our Turtle's Back*", 31-42.

<sup>67</sup> Smith, "Not an Indian Tradition."

worldviews<sup>68</sup>. Settlers enforced patriarchal political structures upon Indigenous political systems as a tool to undermine Indigenous sovereignty<sup>69</sup>. The replacement of Indigenous Matriarchal belief systems and political structures with patriarchal ones dismantled Indigenous socio-political structures<sup>70</sup>. As a result, Indigenous women were situated as an advantageous site for violence which supported the settler-colonial agenda of land appropriation. From this vantage point, violence against women could be understood as violence against Indigenous sovereignty as a whole, and vice-versa. Given that sexual harm is, and has been overwhelmingly enacted upon women-identifying people by cis-gendered men, it is presumable that sexual harm is informed by patriarchy. Patriarchy is also inextricably linked to settler-colonialism as it provided one mode of social and political hierarchy that formed a foundational organizing structure for settler-colonial powers to build sovereignty upon<sup>71</sup>. Through this line of reasoning, it is clear that sexual harm has been a foundational feature of colonialism, and that colonialism has been an essential feature of the formation of the settler-state of Canada<sup>72</sup>. Plainly put: sexual harm is deeply baked into Canadian culture, and has operated as a leavening agent for the settler-colonial agenda<sup>73</sup>. This line of reasoning is relevant to contemporary policy development, as Indigenous women in Canada experience sexual harm and interpersonal violence at disproportionate rates to their non-Indigenous counterparts.

---

<sup>68</sup> Simpson, *"Dancing on our Turtle's Back"*, 31-42

<sup>69</sup> Ibid.

<sup>70</sup> Smith, "Not an Indian Tradition."

<sup>71</sup> Ibid

<sup>72</sup> Smith, "Not an Indian Tradition."

<sup>73</sup> Razack, *"Race, Space and the Law"*, 130.

Canadian law enforcement was created as a tool for settler-colonial land appropriation. Canadian law enforcement began in the form of the North West Mounted Police; a paramilitary force whose purpose was to maintain British/Canadian control over the western and northern regions of Canada<sup>74</sup>. One of the primary tasks of the North West Mounted Police force was to facilitate and enforce the removal of Indigenous people from their land and onto reservations, and to squash Indigenous resistance to settler encroachment upon their land<sup>75</sup>.

Currently, the RCMP is facing multiple allegations of its officers committing sexual harm against Indigenous women<sup>76</sup>. The RCMP is also currently facing multiple allegations of failing to address reports of sexual harm and interpersonal violence enacted upon Indigenous women, as is clearly documented in the final report of the National Inquiry into Missing and Murdered Indigenous Women and Girls<sup>77</sup>. Not only do Indigenous women experience disproportionate levels of sexual harm in Canada, they also face disproportionate levels of criminalization and incarceration. Currently, one in three Indigenous women are incarcerated in Canada, and they represent Canada's fastest growing prison population<sup>78</sup>. In sum, Indigenous women have historically represented a political threat to the sovereignty of the settler state, and this history is reflected in the present through the disproportionate degree of harm and criminalization Indigenous women experience. Harming and criminalizing Indigenous women is congruent with Canada's history of using patriarchy as a modality for propelling settler-

---

<sup>74</sup> Nettleback and Smandych, "Policing Indigenous Peoples", 356-375.

<sup>75</sup> Ibid. Maynard, "*Policing Black Lives*", 154-157.

<sup>76</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*

<sup>77</sup> Ibid.

<sup>78</sup> Marques & Monchalin. *Neo-colonial injustice and the Mass Imprisonment of Indigenous Women*. 79-92. Pollack, "You Can't Have It Both Ways."

dominance. Anti-colonial theory demonstrates that political as well as interpersonal violence against Indigenous women has been a central feature in establishing the settler-state<sup>79</sup>. The implications of this are that law enforcement, which is a branch of the settler-state, is both historically and currently a symbol and source of violence against women, particularly Indigenous women. Anti-colonial theory also links contemporary experiences of sexual harm to patriarchy as a form of social and political hierarchy that supports a settler-colonial agenda of domination as a means of maintaining sovereignty<sup>80</sup>. Within this reasoning, it is arguable that both colonialism and law enforcement have been incubators for rape culture, or a culture wherein sexual harm is aided and abetted by the State. This suggests is that not only is law enforcement an inappropriate policy for responding to and preventing sexual harm; but that it may in fact be an enabler of sexual harm.

#### *Abolitionism and Anti-Black Racism*

Within this portion of the theoretical frameworks chapter, the manner in which Anti-Black Racist theory overlaps with chattel slavery abolition and contemporary abolitionist theory<sup>81</sup> will be examined. Both Anti-Black Racism and Abolitionism interrogate the impact of law enforcement upon people who are Black and provide a foundation for understanding the way in which law enforcement has operated as an incubator for rape culture and sexual harm, particularly against women who are Black.

---

<sup>79</sup> Smith, “Not an Indian Tradition.”

<sup>80</sup> Marques & Monchalin. Neo-Colonial Injustice and the Mass Imprisonment of Indigenous Women. 79-92.

<sup>81</sup> Carrier & Piché. “The Blind Spots of Abolitionist Thought in Academia”. Davis, “Freedom is a Constant Struggle”. Kaba, “We Do This ‘Til We Free Us”. Vitale, “The End of Policing”.

Contemporary abolitionist theory challenges law enforcement and retributive models of justice that are predicated upon criminalization and punishment, and seeks their replacement transformative<sup>82</sup> approaches to justice, including policy initiatives that place value on human welfare, equity and community-led accountability initiatives. The purpose of these alternatives is to construct a world that is predicated upon care and mutual aid as opposed to coercion and force<sup>83</sup>, thus creating the conditions wherein institutions such as law enforcement and the prison industrial complex are rendered obsolete. Abolitionist theory maintains that violence and coercion beget violence and coercion, or in the words of Angela Y. Davis: “*Safety, safeguarded by violence, is not safety*”<sup>84</sup>. Abolitionism posits that a justice system should model the attitudes and behaviours that a society aims to achieve among its members. In order to achieve justice, inflicting violence upon those who commit crimes is not an effective approach to producing safe societies free from interpersonal harm. Locking humans in cages, removing their material and physical autonomy, isolating them from their communities, among other features of the contemporary carceral experience is indeed violent.

Very few cases of sexual harm result in an intervention from the criminal legal system: for every one thousand sexual assaults that occur in Canada, only three results in a criminal conviction<sup>85</sup>. This suggests that the criminal legal system in Canada is a largely irrelevant and ineffective policy intervention for sexual harm. Furthermore, abolitionism would posit that prison is not an appropriate place for people to heal from and un-learn sexually harmful

---

<sup>82</sup> Armatta, “Ending Sexual Violence Through Transformative Justice”.

<sup>83</sup> Davis, “Freedom Is a Constant Struggle”, 91-111.

<sup>84</sup> Ibid.

<sup>85</sup> Boutilier and Wells, “The Case for Reparative and Transformative Justice”, 4-28.

behaviour. These factors challenge why law enforcement and the criminal legal system are centred in policy responses to sexual harm. What other policy approaches might be more effective?

Contemporary abolitionist theory finds its roots in movements to abolish chattel slavery. According to Rinaldo Walcott in their book *‘On Property’*, the current structure of North American law enforcement, including the NWMP, was founded in the English colony of Barbados during the 1680s<sup>86</sup>. It was here that slave-laws were enacted and enforced by groups of white settlers for the purpose of controlling the movement and autonomy of Black, enslaved people through strict policies and sanctioned violence<sup>87</sup>. Around the same time, British settlers in Barbados borrowed the structure of slave patrols from Spanish settlers in Cuba<sup>88</sup>. Slave patrols were groups of white settlers tasked with hunting down enslaved people who had escaped from slave owners\*. In her 2020 essay *‘The Invention of Police’*, Jill Lepore highlights that the same British settlers who enacted slave-laws and slave patrols in Barbados were responsible for the establishment of settler-colonialism in South Carolina, Virginia, and North Carolina. They brought with them both the structure of slave-laws and the slave patrols that they had established in Barbados and imposed these structures upon enslaved Black people living in the southern United States during the 1700s<sup>89</sup>. Over the next fifty years the use of slave-laws spread across the southern United States, and slave patrols spread across the entire United States. The role of slave patrols eventually expanded to include capturing free, formerly enslaved Black

---

<sup>86</sup> Walcott, “On Property”, 28-32.

<sup>87</sup> Ibid.

<sup>88</sup> Durr, “What Is the Difference between Slave Patrols and Modern-Day Policing?”, 873-879.

<sup>89</sup> Lepore, “The Invention of Police”.

people and forcing them back into the role of being the property of white settlers<sup>90</sup>. By the 1830s in the United States, the term ‘slave patrol’ and ‘police’ had largely become synonymous. The only thing that differentiated police from slave patrols was that by the late 1700s in the United States the use of the term ‘police’ had also come to be understood as civil servants who were tasked with the prevention and detection of crimes<sup>91</sup>. Essentially, police in North America initially served the purpose of securing settler control over Black people who were trafficked from Africa and forced into slavery, as well as over Indigenous lands<sup>92</sup>.

The above-described history of systemic Black racism has resulted in people who are Black experiencing disproportionate levels of police violence, criminalization, incarceration and surveillance by the state compared to their white counterparts<sup>93</sup>. People who are Black also experience sexual harm at a significantly higher rate than people who are white. Sexual harm was part and parcel of slavery, as enslaved Black women were often the target of sexual harm by their white captors<sup>94</sup>. Enslaved Black womens’ reproductive processes and their offspring were also legally considered to be the property of their white captors<sup>95</sup>. Black womens’ reproductive processes were a significant feature of expanding white slave-owners’ labour pool<sup>96</sup>.

---

<sup>90</sup> Lepore, “The Invention of Police”.

<sup>91</sup> Ibid.

<sup>92</sup> Mayard, “Policing Black Lives”.

<sup>93</sup> Ibid.

<sup>94</sup> Feinstein, “When Rape Was Legal”.

<sup>95</sup> Ibid.

<sup>96</sup> Ibid.



Abolitionist theory and anti-Black racism underlines that law enforcement was never intended as a tool to protect or serve people who are Black. In fact, law enforcement and the legal system were designed to maintain and enable the so-called legitimate use of force over Black populations<sup>97</sup>. Even more insidious, law enforcement has been a tool to make Black women ‘legally’ available to white slave-owning people for both the purposes of economic and sexual exploitation<sup>98</sup>. What this suggests is that law enforcement and the legal system are anything but an appropriate policy response for sexual harm, unless we are aiming for policy responses that only serve populations who currently and historically embody racial and ethnic privilege.

### *Intersectional feminism*

Intersectional feminism is an extension of critical race theory designed for the purpose of addressing inequality within the legal system. Kimberlé Crenshaw developed intersectional feminism in order to highlight the conceptual limitations of single-issue analyses of race, class and gender within the context of law. Crenshaw posits that the experience of gender is inextricably linked to one's race and class, and that one's intersection of identities produces a distinct lived experience and worldview. For example, intersectional theory posits that a white woman's experience of gender is distinct from a Black woman's due to gender being a ‘raced’ experience. Or, for instance, an economically oppressed white woman will experience her gender differently than an economically privileged white woman as gender is also a ‘classed’ experience.

---

<sup>97</sup> Maynard, “Policing Black Lives”.

<sup>98</sup> Feinstein, “When Rape Was Legal”.

At the heart of this inquiry is a hope for sexual harm policies that consider the experiences of *all* survivors, and for policies that value the needs of *all* survivors. In challenging current sexual harm response policies, such as law enforcement and the criminal justice system, the implicit message is: who do current sexual harm policies serve, and how can we create more inclusive policy? When we think of sexual harm survivors, it is vital that we consider that they encompass almost every identity that exists and that policy ought to reflect the diversity of identities that it seeks to serve. Given that the roots of law enforcement in Canada are inextricably linked to violence against people who are Indigenous and Black, among other demographics, it is logical that many sexual harm survivors who are Indigenous or Black may not want to contact the police following an assault. Given the rate at which law enforcement harms or kills people who are Black in Canada, it is logical that Black survivors may not view law enforcement as a source of safety or protection. It is structural inequalities such as those experienced by many Black and Indigenous sexual harm survivors that compel me to directly ask sexual harm survivors about their experiences with law enforcement and what policies they would find helpful. Intersectional theory creates a respectful space for each participant's perspectives and experiences: some survivors may find comfort or support in engaging law enforcement and the legal system as a response to sexual harm, while others may not. By challenging the efficacy of law enforcement as a sexual harm policy within this research, I am cognizant that this is not a universal perspective among survivors. Intersectional feminism acknowledges that every survivor relates to their experience with sexual harm in a distinct manner, which is impacted by their web of identities. With that said, it is imperative that intersectionality is used for the purpose it was intended; not as a defense of institutions that inflict harm upon victims of white supremacy, but as a tool to uncover the unique ways in

which oppression manifests as a result of overlapping systems of power<sup>99</sup>. Thus, while the diversity of survivors' perspectives it certainly noted and respected within the context of this MRP, the perspectives of carceral feminism<sup>100</sup> and the logic of the police state as a sexual harm policy will be continually challenged throughout the course of this MRP.

---

<sup>99</sup> Crenshaw, "Mapping the Margins", 1241-1299

<sup>100</sup> Terwiel, "What Is Carceral Feminism?"

## CHAPTER 4: METHODOLOGY

The methodological approaches applied to this MRP will be defined and delineated within this chapter. My ontological underpinnings as a researcher are shaped by my identity as a survivor of sexual harm, as well as a survivor of the criminal legal system as a victim witness. The experiential knowledge that I have garnered through exposure to interpersonal and institutional violence has heightened my awareness of the power relations inherent within the knowledge production process. The exclusion of populations whom research seeks to understand from the knowledge production process is at best unhelpful. At worst, such exclusion reproduces the harm that knowledge production regarding underrepresented populations seeks to mitigate. Research regarding sexual harm is overwhelmingly ‘about’ the phenomenon of sexual harm and its survivors but is rarely conducted by survivors themselves. Sexual assault response resources such as social services and law enforcement are by-products of policy. Given that these two foundational responses to sexual harm are chronically under-utilized by survivors indicates that there are problems inherent in survivors being excluded from the policy-making process and suggests that their inclusion as both researchers and participants whose contributions constitute for more than numerical representations may be of value. For this reasoning, a constructivist ontological lens will provide context for the methodological approach applied to this qualitative research process.

### *Qualitative inquiry*

Qualitative inquiry seeks to uncover experiential insights from participants, as opposed to numerical representations of experience, as is the case with quantitative inquiry<sup>101</sup>. While some qualitative research regarding sexual harm survivors' experiences does exist, there is very little that amplifies survivors' experiences with law enforcement, nor their insights regarding how they imagine effective sexual assault policy. I am seeking to contribute to a small but hopefully growing body of qualitative, textual data that seeks to amplify the experiences and perspectives of sexual harm survivors as it relates to policies regarding sexual assault response and prevention. Adopting a qualitative approach signifies a move away from research 'about' survivors of sexual harm and towards research being produced by and for survivors of sexual harm.

#### *Narrative research*

For this MRP, I will employ a narrative approach to inquiry as both an ontological position in the knowledge creation process, as well as a means of collecting and interpreting data. Narrative research applies a focus to the lives of participants through documenting their stories and reflections on their lived-experiences, and by analyzing participants' words in order to gain insights on a particular phenomenon<sup>102</sup>. Narrative ontologies recognize that the individual experiences of reality and of phenomenon are distinct, and are expressed as emergent narratives as opposed to predictable, formulaic outcomes deliberated by circumstance. This is a vital perspective for fostering a safer process of inquiry into the experiences of sexual harm survivors; one which avoids reproducing the erasure that many survivors already experience<sup>103</sup>.

---

<sup>101</sup> Creswell and Poth, "Qualitative Inquiry", 7-12.

<sup>102</sup> Creswell and Poth, "Qualitative Inquiry", 66-74.

<sup>103</sup> Sheehy and Johnson, "Limits of a Criminal Justice Response", 613-635.

While survivors share the experience of sexual harm, the manner in which sexual harm impacts their worldview and life as a whole is diverse and distinct, and is shaped by the matrix of identities and positions occupied by the individual. Survivors are diverse, and such diversity requires an approach to inquiry that honours this reality.

The process of narrative research involves the researcher and the participants co-constructing stories of participants lived-experiences as they relate to a particular issue<sup>104</sup>. The lack of survivors engaging in current policies and services intended for survivors suggests that a narrative approach may be necessary to uncover the minutia of *what* about current policy is and is not working for survivors and *why*.

#### *Narrative: consensual research*

Narrative approaches also take into consideration the value of ongoing consent within the knowledge production process: by engaging participants through open-ended questions, participants ongoingly have choice in both what and how much information they disclose. While sexual harm and research are indeed distinct from one another, the trauma that can stem from sexual harm has the capacity to reproduce itself in various areas of a survivor's life in the form of a heightened awareness of non-consensual processes. By approaching inquiry in a manner that provides participants with control over the content and the degree to which they disclose their stories affirms participant agency as well as placing value on non-coercive engagement models in all areas of life.

#### *Narrative: experiential knowledge*

---

<sup>104</sup> Creswell and Poth, "Qualitative Inquiry".

Narrative research is predicated upon exploring the life of an individual as it relates to a particular phenomenon through the researcher inquiring about participants' historical experiences<sup>105</sup>. Within narrative approaches, participants and the researcher co-create frameworks for contextualizing and bringing meaning to participants' responses<sup>106</sup>. In other words, narrative approaches have the strength of retrospective meaning-making and are an ephemeral, interpersonal performance as opposed to the construction of a singular, objective historical account<sup>107</sup>. This allows for subjective meaning to be amplified as well as for subjective *meanings* that reflect both the passage of time and the multiplicity of identities one can occupy. There is a schism between how sexual assault survivors engage with sexual assault policy versus how the general public understands what equates to adequate sexual assault policy. Within mainstream discourse there lies a presumption that engaging law enforcement is an appropriate response to sexual harm. However quantitative data repeatedly demonstrates that sexual assault is infrequently reported to law enforcement and when it is, it occupies a high attrition rate. This suggests that law enforcement as a general policy for responding to sexual assault may not be appropriate for many survivors. However, what is an appropriate response to sexual harm? Furthermore, why do so few survivors report the harm they experience to police? The simplest answer to this question lies in asking survivors themselves about their experiences and insights.

*Narrative: Power-relations and survivorhood*

I view a narrative approach to inquiry as the most logical and straight-forward approach to learning about how sexual assault policy does and does not align with the needs of survivors.

---

<sup>105</sup> Ibid.

<sup>106</sup> Creswell and Poth, "Qualitative Inquiry". Wolgemuth, "Analyzing for Critical Resistance", 587-602.

<sup>107</sup> Chase, "Learning to Listen."

There are transformative and emancipatory implications of engaging story and re-storying as a medium for inquiry. Sexual harm is an experience that has typically been shrouded in silence. Shame, confusion, and a culture of rape mythology and victim/survivor-blaming has created a profoundly unwelcoming and unsafe environment for survivors to voice their needs and perspectives as they relate to sexual harm policy. The cultural silencing of survivors has left the construction of who survivors are and what they need in the hands of people who do not identify with the experience of sexual harm. The absence of survivors' voices in sexual assault discourse and policy has resulted in survivors being cast as a monolithic group whose distinct experiences and identities remain unrecognized. The perception of survivors as a homogenous group inadvertently favours the perspectives of survivors from 'dominant' or privileged demographics. This creates a lopsided depiction of the diversity of experiences and perspectives held by survivors. By engaging in narrative research, I hope to dedicate adequate space for each participant to put forward the multiple factors, both internal and external, that informed how they chose to navigate their response to experiencing sexual harm.

*Narrative: amplifying silenced voices*

In Canada, if a sexual harm survivor refrains from engaging the legal system in addressing their experience with sexual harm, but speaks about their experience with sexual harm publicly, they risk legal repercussions such as being served a defamation lawsuit by the accused. While it is not explicitly stated, having one's experience with sexual assault brought before a criminal court in Canada requires a specific set of conditions that are predicated upon privilege. Survivors who pursue legal redress for harm must have economic stability, emotional support, educational support, self-confidence, a sense of belonging and deserving. They also must have experienced the kind of sexual harm that is understood by the



legal system in order to have a fair chance of participation in the legal system. Above all else, survivors who engage the legal system as a response to sexual harm are required to present as a 'good witness' in order to have a slight chance of seeing the person who harmed them found guilty. Being a 'good witness' is a vague term that encompasses more than simply being willing to answer questions from the judge, crown and the defense. It requires that the victim-witness be well-spoken or well-represented, clearly not seeking vengeance, and to be relatable. This term 'relatable' is insidious in that it is double-speak for privileges that are born of power relations. The term 'relatable' encompasses a clustering of positions and identities ranging from race, gender, sexuality, family structure, occupational positioning, among other identities and positionalities that cater to mainstream norms. This ultimately means that white, cis, heterosexual, neurotypical, able-bodied, formally educated people hold a greater chance of having charges pressed against the accused and convictions made. These circumstances contribute to survivors being largely silenced, and those who are not tend to reflect a small, privileged portion of survivors of sexual harm. The legal barriers presented to survivors coupled with the risks presented to survivors who speak out without the support of a guilty verdict underlines the emancipatory and subversive power of narrative research. The ethic of confidentiality coupled with an emphasis on subjective experience and voice inherent within narrative research creates an unusual space wherein any survivor with any identity or positionality can safely speak to their experiences without the fear of harmful repercussions.

#### *Research ethics board approval*

This inquiry has been approved by the X Research Ethics Board. Gaining approval to conduct this research presented significant challenges that required multiple submissions and revisions prior to being given permission to move forward. Indeed, research ethics are of critical

value given that researchers occupy significant power as a result of being positioned as ‘creators of knowledge’, whereas participants are often treated as supporting actors whose experiences are merely resources to be extracted and processed by the researcher. This positioning creates a power imbalance between the researcher and researched wherein the researcher may have the capacity to exploit participants and cause harm, such as leaving participants feeling used, objectified, or otherwise harmed. While I believe oversight of research from a third party is critical to avoid such pitfalls, the current research ethics board at Ryerson University is multi-disciplinary which can result in a lack of specificity in their comprehension of the nature of particular types of research, such as narrative research. This, in my experience, caused confusion when attempting to explain my reasoning for choosing certain methodologies and protocols. For instance, the research ethics board lacked a fundamental comprehension as to why asking participants open-ended questions regarding their experiences of sexual harm and law enforcement would be safer and ideally a more ethical approach to inquiry. Open-ended questions allow for the participant to share as much or little as they please, which allowed me to sidestep the risk of either a) demanding too much from participants, or b) leaving participants feeling silenced by asking questions that were too narrow and circumscribed to encompass the nuances of their experiences.

The risk-management approach to research ethics approval adopted by the research ethics board, while intended to create safe space for participants, actually replicate neoliberal and modernist frameworks of knowledge production that casts relationality as a risk to objectivity. When working with trauma survivors, relationality is critical factor in creating a space wherein a participant can re-tell their story without re-traumatization occurring<sup>108</sup>. Relationality has the

---

<sup>108</sup> Van Der Kolk, “*The Body Keeps the Score*”, 7-39.

capacity to produce co-regulation between researcher and participant which can ultimately help to break the sense of isolation and objectification that commonly accompanies having survived abuse\*. While I deeply appreciate the REB objective of reducing the potential harm done by research, the paradigm of risk management that accompanies the process actually has the capacity to replicate harm when working with participants who have experienced objectification and trauma.

### *Recruitment*

For this inquiry I employed a snowball sampling method of participant recruitment. Doing so allowed me to seek out participants with specific experiential knowledge that aligned with my inclusion and exclusion criteria. I created two recruitment email scripts which described the purpose of the inquiry, the inclusion and exclusion criteria and what involvement would require of participants. Also included within the recruitment email scripts was a description of potential risks involved in participation and my contact information where potential participants could reach me. The two email scripts were sent to a small handful of my contacts who work in the anti-violence sector who distributed the participant email to individuals who they thought may be interested in participating. Upon receiving responses from potential participants, I requested that they to fill out a Google form that operated as a research consent form. Upon receiving the completed consent form, participants and I arranged a Zoom meeting where the interview would occur.

While I did require that participants had first-hand, lived experience of sexual harm, I did not require participants to have reported the harm that they experienced to law enforcement. The

reasoning behind this was that a person's reasons for not reporting can be valuable in terms of understanding what systemic issues prevent reporting from occurring and uncovering barriers within current sexual harm response policy.

Although I initially intended on recruiting upwards of five participants, I only conducted two interviews. After completing two interviews I realized that I had collected ample data to explore. Within the context of this qualitative inquiry, ensuring adequate space to amplify participants voices and to capture the minutia of their experiences is of greater value to the analysis process than accruing a high volume of participant narratives.

### *Data collection*

While it would have been ideal to meet with each participant in-person, due to the ongoing Covid-19 pandemic it was necessary to conduct research remotely.

The interview guide consisted of open-ended questions, premised by a request that participants share as much or as little as they wished to. Prior to working directly with participants, I engaged in a pilot interview where I said the interview questions aloud to myself in order to ensure that they made sense when posed verbally.

To collect data, I engaged each participant in a one-on-one conversation. This conversation could be referred to as an interview, however I would prefer to highlight the reciprocity and relationality that I aimed to weave into the research process through using the word 'conversation'. Interviewing is a one-way-share, where the participant discloses and the researcher documents. However, it became remarkably clear during these conversations that simply extracting information from participants without sharing pieces of myself, be it words of

support or solidarity in terms of shared experiences, would be a replication of the objectification that is inherent within sexual harm.

While I initially intended on having telephone conversations, as a result of technical challenges I chose to conduct the conversations over Zoom. I asked each participant if they would prefer audio-only, or audio-video. Each participant indicated that they would prefer to be seen and to see me. I appreciated this, as it amplified our ability to co-regulate through eye contact, facial expressions and body language.

I intended on engaging each participant in conversation for a maximum of 1.5 hours. However, during the data collection process it became clear that in order to meaningfully engage with each participant, the conversation needed to be as long or short as ‘felt right’. I indicated to each participant throughout our conversations that I wanted to respect their time, and that they were welcome to end our conversation or take a break at any point. However, it appeared that ensuring each participant had the opportunity to clearly convey their experiences and perspectives was of greater value than ensuring that the conversation remained within a circumscribed time frame. The conversations with participants lasted between 2.5 hours to 3.5 hours.

Prior to beginning the conversation, I went through the potential risks and benefits that could stem from participating in the inquiry process with each participant. I also made it clear that participants were welcome to take breaks or end the conversation whenever they desired and that they could withdraw their data from the inquiry prior to August 1, 2021.

In order to build rapport, I made sure to disclose to participants that I too am a survivor of sexual harm. I felt incentivized to do this as this research is partially inspired by my experiences

with law enforcement and the legal system, as well as the experiences of those who I work with. I worked to disclose without centering myself in the conversation.

Upon commencing the conversation with participant #1, I realized it would be impossible to strictly follow the interview guide within these conversations in an ethical and respectful manner. The interview guide asked questions about why police were or were not involved in the participants experience with assault. However, the interview guide did not ask for the participant to fully disclose their narrative of sexual harm. I had designed the interview guide this way in order to avoid triggering participants by asking them to dive deep into their narratives of abuse. However, when the conversations began it became clear that documenting the full story of each participant was critical for the following reasons:

- Participants expected to share their stories in their entirety, despite the interview guide that I had provided not specifically requesting their complete narrative of sexual harm.
- Not asking for the full story of sexual harm risked missing nuance and context as to *why* participants did or did not involve law enforcement as a way to respond to their experience of sexual harm.
- By not documenting each participants full narrative of sexual harm I would be engaging in extractive research that treats participants as objects, whose experiences are only valuable insofar as they serve my inquiry objectives. By only engaging in portions of their narrative, I would be participating in a similar form of cultural silencing that this inquiry seeks to challenge.

I recorded the conversations with a hand-held digital audio device. I also collected a Zoom transcript which I edited following the conversation, as Zoom transcripts lack accuracy. Each participant was given a code name in order to protect their privacy. I then returned the edited transcripts to each participant to review and edit in order for them to have the opportunity to remove any identifying material from their transcript and to edit their words to convey their perspectives as they intended. Upon the transcripts being returned to me, I deleted the audio recordings of the conversations as per the REB protocol. Final transcripts were stored in a password protected Google Drive file under each participant's code-name.

### *Data analysis*

To analyze the data from conversations with participants, I listened to each recording carefully in order to absorb their contents without the distraction of transcribing. I then listened to the conversations while reading the Zoom transcript and correcting the transcript errors to match what each participant had said. I then read through each transcript a number of times, and highlighted the areas that I saw as overlapping. I also highlighted areas that had to do with:

- Participants' description of their identity and their reasons for participation
- The portions of their narrative that described the sexual harm(s) they experienced
- Moments where they described experiences of support following sexual harm
- Whether or not they involved law enforcement as a response to sexual harm, and why
- What supports would have been helpful following their experience(s) of sexual harm
- What messages they hoped to convey to other survivors who read this inquiry

I then embarked on a process of self-reflection. What I noticed was that my conversations strayed quite dramatically from how I had planned for them to occur. I reviewed my reasoning

for conducting the conversations as I did, as well as my approach to transcription. I then brought these musings to my supervisor and we parsed through the complexity of what occurred for me internally during these conversations, why, and how the revelations stemming from my reflections could be of value to future research with survivors of sexual harm. It occurred to me that this inquiry was not only about its stated purpose, but also a reflexive inquiry regarding the nuances and complexities of doing ethical (re)search work with survivors of sexual harm. I have described the outcomes of this process in the forthcoming section titled ‘Methodological findings’.



## CHAPTER 5: FINDINGS

It feels necessary to take a moment to comment on the privilege it has been to work with the two participants who took part in this inquiry. Both participants are tremendously insightful, intelligent and courageous individuals who generously offered me the time and the energy required to reach back in time and disclose their narratives of sexual harm as well as their respective perspectives on sexual harm policy. If ethical guidelines and safety protocols did not require their confidentiality to be preserved, I would list them as co-authors of this MRP. Without their leadership, courage and candour, this MRP would be a shadow of what it is. While it may seem that two participants is an insignificant participant pool, each offered such an abundance of substantial content that to even scratch the surface of the rich and thoughtful content that they shared is beyond the scope of this paper.

Furthermore, I would like to note that while each of their stories are dynamic, complex, and brimming with insight, I have chosen not to provide a chronological account of their stories. I struggled with this choice because I want to amplify the voices of my participants in the most authentic form possible while following narrative protocols. However, the substance behind their words and our interactions with one another requires examination, thought, reflection and comment. Thus, while my findings may not include many block quotes of their direct words, I hope to reflect some of nuanced messages regarding research, sexual harm policy, law enforcement and story-telling that their words encapsulated. I will present the findings of this research through a thematic analysis which will be structured in two parts: methodological findings and substantive findings.

*Methodological findings:*

*Experiences of sexual harm survivors as an emergent area of qualitative research*

I was compelled to conduct this inquiry in-part from a desire for sexual harm survivors' first-hand experiences to be reflected in academic social work research. Over the past ten years I have searched for contemporary literature and peer-reviewed content that represents survivors of sexual harm and the diversity of our experiences, identities and worldviews. When I began this search for representation in 2011, there appeared to be a dearth in contemporary literature that applied a focus to the topic of sexual harm. As a social work student whose life has been shaped by multiple experiences of sexual harm, this dearth caused me to feel concern, alienation and exclusion within the context of academia. Sexual harm is an experience that is ubiquitous, yet chronically swathed in secrecy, shame and silence within society and its adjacent institutions, such as the legal system and the academy. The reticence of society to directly address the ubiquity of sexual harm within our communities has been reflected within academic literature and academia at-large in the form of absence. During my social work degree, I rarely encountered courses or assigned readings that addressed working with populations and individuals impacted by sexual harm, despite sexual harm being remarkably common and impactful to those who experience it, their families, and their communities. Furthermore, survivors' first-hand experiences and perspectives were and continue to be woefully under-represented within academia. Much of the research that exists regarding sexual harm and sexual harm survivors is quantitative which, although useful at times, tends to depend on a data collection and analysis process that is far-removed from survivors' voices and first-hand perspectives. Additionally, existing research overwhelmingly frames the experiences of sexual harm survivors in a monolithic fashion, as though the impact of sexual harm is static and universal when in fact it is diverse with some common overlap. Contemporary qualitative research overwhelmingly lacks contextual representation of survivors' differential experiences

that result from our diverse identities and positionalities. Racism, white supremacy, patriarchy, heteronormativity, cissexism, class oppression, border imperialism, western imperialism, ableism, among other forms of discrimination deeply impact how sexual harm is experienced.

It has been heartening to witness research regarding sexual harm and sexual harm survivors increase in recent years. The increase in volume of research regarding sexual harm may be related to contemporary shifts in societal discourses as a result of recent survivor movements that have amplified the ubiquity of sexual harm and its impact on survivors. This increase may also be partially an issue of perception on my part, as over the past decade my skills in secondary research have expanded due to my time spent practicing research within my formal education. However, my subjective observation is worth noting: one should not require ten years of research skill development in order to gain access to academic and peer-reviewed literature regarding a certain topic. If gaining access to peer-reviewed literature regarding sexual harm requires a decade of research skill development, this bespeaks a concerning issue regarding the exclusive nature of research dissemination that is beyond the scope of this paper.

It is safe to say that qualitative research regarding sexual harm and sexual harm survivors is an area of inquiry that is in its infancy. Therefore, the process of conducting insightful and ethical qualitative research with sexual harm survivors requires a recognition of its emergent quality and the value of engaging praxis in the data analysis process of such research. With this inquiry, I hope to contribute to the development of research methodologies that produce knowledge in a manner that is respectful of research participants and contributes to emancipatory discourses that benefit those whom the research is done with and about. The current section, titled ‘Methodological findings’ is a form of praxis in which the act of research will be reflected and commented upon in order to support the ongoing development and

improvement of qualitative research methodologies applied to inquiries for and about sexual harm survivors. Within this section I reflect and comment on the research process itself and what I have learned about doing research with sexual harm survivors.

### *Making space for the whole story*

I entered this inquiry hoping to glean insight into survivors' perspectives on Canadian law enforcement as a sexual harm response policy. I also hoped to collect survivors' ideas and perspectives on what care-informed policy responses to sexual harm could look like. As someone with a history of sexual harm, I have vested interest in seeing the diversity of people who experience sexual harm represented in research. I also have become fatigued by the manner in which our stories are often used to sensationally shock society and institutions into paying attention to sexual harm. Survivors are rarely meaningfully included in the policy-building process. When survivors are included, it is often exclusively white, cis-gendered women who are requested to offer their perspectives. While the perspectives of white, cis-gendered women are certainly valid, they cannot represent the needs or experiences of survivors from other demographics. Furthermore, even when survivors are included in the policy building process, their inclusion is often tokenistic and intended to convey an image of inclusion, as opposed to being substantially included as primary policy informants. For this reason, I did not directly request that participants disclose their 'whole story' of harm.

I also refrained from asking for participants' entire story of sexual harm because I was concerned that this kind of story-telling would trigger their trauma and potentially harm their well-being. *However, it turns out that I was wrong.* Both participants entered our research conversation prepared and expecting to disclose their entire story of sexual harm, which I immediately realized was necessary for a number of reasons which I will outline in the

forthcoming paragraphs. Upon realizing the necessity of offering participants the option to disclose their entire narrative of sexual harm, I asked them to share whatever they wished to share, to whatever extent felt comfortable to them, and assured them that they could stop and take breaks whenever they pleased.

One reason that creating space for a participant's full story is critical is because research has been critiqued as an extraction process wherein researchers enter the lives of participants with an objective to obtain specific information while ignoring the multi-dimensional and nuanced experiences that inform their participants responses. In doing so, researchers position participants as objects whom research is enacted upon. Enabling space for participants to have choice over the extent of their disclosure situates the participant as the subject who acts upon the research process through being the gatekeeper of their story. Seeing as sexual harm is a severe form of objectification in which a survivor's body is acted upon without their consent, it is critical that researchers are mindful of not emulating this dynamic by treating participants and their stories as objects who are acted upon by the researcher. Upon entering dialogue with participants, I quickly realized that by only asking them to speak about their perspectives on law enforcement and sexual harm policy, I was treating participants as resources whom I was extracting specific knowledge from.

By refraining from including a request that participants disclose their complete narrative of harm from my conversation guide, I neglected to consider that many survivors of sexual harm have not had the opportunity to share their story from beginning to end in a formal yet confidential setting that contributes to a broader knowledge base. This kind of witness has the capacity to provide a form of healing. Upon commencing the research conversations with the first participant, I realized that by only asking for small portions of their worldview regarding

their experience(s) of sexual harm I would be contributing to the sense of fragmentation and objectification that plagues many trauma survivors. A quote by participant # 2 demonstrates how participants themselves view participation in research regarding their experiences of sexual harm as a modality for healing.

*From our first interaction I said to myself: This is interesting; Okay, I'm going to trust it. I'm going to trust this process and just be as open, accommodating, transparent and honest as I can be because if I hold back or play this typecast of 'the shield' it will not help me. I truly want to heal...*

Secondly, in order for participants to provide thick responses to *why* they think and feel the way they do about law enforcement and sexual harm policy, context is required. Understanding their full experience allowed me to understand why their perspectives are what they are. Had I not been given the privilege of having such forthright and courageous participants who took leadership in the research process, I would have been left with data that was without context which would be challenging to make sense of. The crux of this finding about 'telling the whole story' is that when conducting research with sexual harm survivors it is critical that space is given for participants to share as much or little of their story of sexual harm and its surrounding content as they see fit. Doing so:

1. Shifts the position of research participants from being objects who research is enacted upon to being subjects who act upon research through having the space to choose what of their lived experience is salient and necessary to share.
2. Shifts the research process away from being a process of data extraction and towards a collaborative process where the research participant is centered as an expert who defines what degree of data is shared and how it is shared.

3. Positions participants as experts regarding the extent to which they disclose their lived experience benefits the research process itself. Participants know the degree to which seemingly unrelated factors of their lived experience shape their perspectives on the research questions at-hand. In this particular inquiry, participants offered insights into *why* they feel the way they feel about law enforcement and sexual harm policy that were informed by areas of their lived experience that I would not have known to inquire about.

#### *Relationality, community and reciprocity*

The process of doing research with participants who have experienced sexual harm involves negotiating contradictions. Principles that underpin traditional conceptions of research include an ethic of objectivity and distance. Maintaining distance between the researcher and researched has been cast as a premise for eliciting truth from respondents and an indicator of professional and ethical practise by the researcher. In traditional research, the researcher and their lived experience are excluded from the data collection process and it is thought that ‘good’ research entails a lack of pre-existing relationship between the researched and researcher. Participants are encouraged to maintain a distance from one another in order to avoid their responses from being influenced by one another. However, within the process of this inquiry it became clear that a lack of reciprocity, relationality and subjectivity would inhibit participants from feeling safely and comfortably situated in their role as story-tellers.

#### *Relationship between researcher and participants*

The two participants who contributed to this research became participants not as a result of my formal recruitment efforts, but as a result of pre-existing relationships. Participant # 1 is a person who I know from a shared professional network who was aware of the work I was doing and *directly requested to participate*. In fact, I have been a respondent in work she has

previously done on the topic of sexual harm survivors. Through her having a comprehensive understanding of my experiences with sexual harm and through having supported one another through our respective traumatic struggles, we were familiar with one another's commitment to amplifying the voices of sexual harm survivors. My involvement in her work was a deeply healing and emancipatory experience which I will be forever grateful for. I felt compelled to reciprocate not only because I believe in reciprocity, but because it felt like a radical interruption to the notion that 'good' research is born of a lack of relationality. By having witnessed her skill as a respectful and competent researcher first-hand, my pre-existing commitment to facilitate a harm-free and hopefully transformative experience for my participants was heightened through the intervention of reciprocity. I wanted to offer her my own version of the positive experience that she had offered me. I ensured she knew that she could withdraw at any point without any negative consequences to our pre-existing relationship. I was transparent with my supervisor regarding our pre-existing relationship and followed the REB protocols for how to negotiate recruiting participants with whom I have a pre-existing relationship. When I asked why she wanted to participate in my research, a portion of her response was "*Because I know I am in good hands*". Safe space is subjective: I may feel like a 'safe' person to share personal stories of trauma with to some people, but I may not occupy that role with others. I believe this is partially because feelings of safety with others and in disclosing narratives of harm are predicated upon trust and trust is something that is born of relationship – how does one trust something or someone who they do not know? Sexual harm is an experience and a subject that is deeply personal and the sharing of these experiences is intimate in terms of the vulnerability it elicits from both the story teller and the story listener. To expect a thick description of one's experiences of sexual harm without having established a certain degree of relationality, trust and



reciprocity assumes that: a) all researchers are equal in the degree that they can be trusted by participants and b) researchers somehow deserve the trust of participants simply by merit. Both of these assumptions hinge on the unearned authority ascribed to researchers on the basis of credentialism.

### *Relationship between participants*

Participant # 2 was recruited by participant # 1. They have a pre-existing relationship through their respective professional networks, and have trust in one another's ethic of care and sense of what equates to a 'safe space'. Participant # 2 identifies as an African American woman and identified why relationality and reciprocity is vital in conducting and participating in research wherein the researcher is white. Participant # 2, in a stunning display of honesty, insight and transparency shared the following words with me in response to me asking her why she had chosen to participate in my research:

*I hold [participant #1] in such high regard because of the camaraderie and intimacy that we were able to build in [name of institution] together...I know her intentions are genuine and she would never put me in contact with someone if she knew we wouldn't mesh well...so I felt that connection with you almost instantaneously...*

*Something I appreciated that [participant # 1] did in our communications...was her stressing the importance of the work, but she also noted the deep ethnic, cultural and racial differences between us and how this could potentially be an asset. [Participant # 1 said] Jennifer is, you know, white, and she is doing this work; this is where some of her passions lie, her strengths, and this is why I feel you both can come together...*

*I think it's important to know that as a woman of colour we can often be very reticent to speak to members of the community that are not women of colour because there's that intergenerational trauma; there's that historical precedent of being guinea pigs, being subjects for greater causes rooted in white supremacy, colonialism and imperialism, and what it's like navigating these spaces...I feel because she was so transparent and honest about it, and again, through my first communications that I had with you; I felt safe; there was something in your discourse, something in your language, something in the tone that I was able to pick up that made me feel safe, that made me feel very enthusiastic about doing this work and that's not easy to do...*

*And so, my prayer; my intention was to be very transparent with you; to be very accommodating in my thinking and my approach and to take in what it is that you share with me. So, it's not about tailoring this ideal response to everything you say, but more about being as open as possible while still protecting parts of myself and being cognizant of what it is that I need, as a participant, but also being mindful and appreciative of the time you're taking to invest in this as well. There's a duality there and we both have to be cognizant of this and any prospective researcher needs to be cognizant and mindful of this because you cannot just give of yourself with no kind of reciprocity in return. It's not going to be the kind of transformative and empowering work that I feel you are trying to do. There needs to be a duality and you have to be willing...*

These quotes speak volumes in and of themselves. What participant # 2 did in her response to my question of “why do you want to participate in this research” was lay out a matrix of conditions necessary for her to feel safe and comfortable working with me. She immediately pointed out the relationality and community that allowed her to enter the research relationship with contextual awareness and trust. Her rapport with participant #1 allowed her to know more about me upon entering the research process than the REB would have allowed me to disclose in my recruitment flyers. Participant # 1 disclosed my strengths and vested interest in working with survivors of sexual harm that extend beyond this MRP, but she also outlined the risks. Participant # 1 offered participant # 2 contextual awareness of the potential for the replication of white supremacy within research by informing her of my identity as a white woman. Doing so enabled participant # 2 to consider the potential risks and benefits were she to work with me. In explaining her choice to participate in this inquiry, participant # 2 even went so far as to name historical and present power relations that can impact the research relationship, such as colonialism, white supremacy and western imperialism. She then named safety as being central to her capacity to participate: her entire decision to participate hinged on feeling safe with me in the research process. This is not the kind of nuance that can be conveyed through a recruitment flyer. When conducting an inquiry with participants who are sexual harm survivors, their sense

of safety may be contingent upon relationality, community, and a gut sense that stems from how the researcher's words in initial communications settled with them.

Participant # 2 then flat out framed the research relationship as reciprocal. She also named my private hope for this inquiry to be transformative. While I had certainly hoped to have conversations with my participants that extended beyond a cut and dry question/answer format, I did not feel comfortable assuming that my participants would want a transformative experience, nor did I assume that I could facilitate that kind of experience. The idea of a conversation leaving both participant and researcher changed for the better, with a deeper understanding of not just sexual harm, but of one another and the world at large felt beyond my capacity as a new researcher. Through participant # 2's candour and courage to name what she thought I was seeking in my research, I felt permitted to enter into the research relationship on more of an equal footing with participants, from a more intimate vantage point and to listen for more than the exact responses to my list of questions. I was given permission to be candid, inquisitive, honest and to deeply listen to her words in a manner that without her permission would have felt like a trespass into her private life.

Ultimately, what my interactions with both participants suggest is that ethical and accurate research is not necessarily born of objectivity, a lack of relationship, or a one-way conversation. In this case of interviewing sexual harm survivors about their experiences with sexual harm, their perspectives on law enforcement and their ideas about what constitutes useful sexual harm policy, relationality, community and reciprocity were necessary to set the stage for the depth of discussion required to unearth the minutia and complexity of these topics.

*Survivor time*

I was aware going into the research process that the questions I posed to participants could very well require over 1.5 hours to answer. However, the REB was fastidious in ensuring that I was not asking too much of participants' time and energy. Additionally, I was uneasy about requesting more of participants' time because I did not want to frame our conversations in a manner that implicitly required them to share more than they would feel comfortable with. However, I was wrong. What a respectful research conversation looked like in this particular inquiry was allowing as much time as necessary to deeply listen and inquire about participants experiences and perspectives and to convey that I had as much time to listen and converse as they felt was necessary. Were I to have ended our conversations at the circumscribed 1.5 hours not only would I have left with only half of the participants' stories and perspectives, I also would have conveyed disrespect to the value of their words and perspectives. I would have been prioritizing bureaucratic guidelines and the protection my data through stringent protocol adherence above the actual work of storytelling and story listening. This observation suggests that when doing narrative research with sexual harm survivors, it is advisable to allow ample time in the research design in order to enable participants to disclose as much or little of their narrative as they choose.

*Lost in transcription: the message is in the medium*

In transcribing the research conversations with participants, it struck me that powerful content contained within our interactions was lost in transcription. There was a particular connectedness, fluidity and feeling that was present in the audio-visual format of our conversations that was lost when I converted them to written word. Our exchange of body language, cadence, facial expressions, sighs, laughter, silence, tears, among other non-linguistic features of our interaction created a 'vibe', *per se*, that occupied a message in and of itself. The

messages within these non-linguistic characteristics of communication were that of relationship, connectedness, relief, excitement, solidarity and the unique expressive space that participants and I shared. It bespoke the power of breaking silence and opening space to truth. It felt like a homecoming to the presence of those who, while different from myself, share a very unique experience that is all too often silenced. While I am the ‘researcher’, I am also a co-survivor who is, whether the ethics of research approve or not, deeply invested in each participant finding worldly space for all parts of their existence, experience, perspectives and personhood. While each participant was asked to follow the lead of my questions, they most certainly led the conversation through their non-linguistic expressions and shaped how I managed time, questions, and my responses to their words. Their presence shaped how much of myself I shared, and what I shared in turn impacted what they shared. The audio-visual format demonstrated the profundity of survivors sharing candidly with one another, offering perspective, empathy, celebrating one another’s decisions, witnessing one another’s pain, leading one another through histories and back again to the present moment. When I think back on the research conversations, I do not imagine them as words on a page, but as flashbulb images and sounds that contain feeling. It is these moments that cause me to dig through the transcriptions to find these specific moments in the written form. From this observation, I believe it is advisable for future research design to consider the potential benefits of alternative dissemination formats. Confidentiality is a critical feature of this research, as the degree of sharing was safeguarded by the agreement that participants’ identities would remain concealed from everyone but myself. However, it has pained me to not be able to share the audio/visual files with participants for them to keep. It feels like a loss of content that could have had a future were research regulations geared towards relationship building, as opposed to creating a static moment with a beginning and an end. The

content of the audio/visual files felt like something that ought to have been archived and not destroyed. In future research, I will request the Research Ethics Board to give me permission to share the audio/visual files with participants following their interview, as it is a piece of them that I believe they deserve to have complete access to and ownership over. Furthermore, the use of dissemination formats such as podcast might be a viable alternative to written word that would capture at least some of the content lost in transcription while still respecting an ethic of confidentiality.

### *Substantive findings*

#### *Law enforcement*

In conversation with participants, the issue of law enforcement as a sexual harm response policy was touched on in two ways. Each participant addressed the manner in which law enforcement presented themselves throughout telling their narrative of sexual harm. Following this, I specifically asked each participant about their perceptions and experiences with law enforcement.

What stood out in both conversations was that the relationship to law enforcement was complex, context-dependent and identity-dependent. Both participants had moments in which they deemed it necessary to engage law enforcement as a response to sexual harm. However, both were keenly aware of the risks that the legal system and law enforcement posed to their mental health. The following is each participants' reflections on their choice to engage or not engage law enforcement as a response to sexual harm that they experienced.

In conversation with participant # 1, she disclosed that law enforcement was engaged on multiple occasions throughout her experience of sexual harm and human trafficking. Participant #1 describes herself as a white, Italian-Canadian woman who was 18 years of age when sexual

harm occurred. The sexual harm continued over the course of one year. The experience of sexual harm shared by participant # 1 was enacted by an older male in her community who occupied a mentorship role in her life. The harm itself included participant #1 being coerced her into marriage by the man who was sexually harming her. Within this non-consensual relationship, participant # 1 was ongoingly sexually exploited, had her religious beliefs replaced by those of the perpetrator and had her freedom of movement and choice incrementally taken away from her. The man who harmed participant # 1 then used his perceived ownership over her to justify his plan to send her to another nation-state in order to secure his capacity to control every facet of her life. She managed to escape before his plans to move her were actualized. Participant #1 indicated that law enforcement intervention did not result in her receiving anything resembling support, safety or justice. Participant # 1 extracted herself from the situation of harm as a result of her own resourcefulness, insight, as well as through having a family and community who refused to abandon her. Following her experience of sexual harm, participant # 1 chose not to report the assault to law enforcement. Below are some excerpts from our conversation that convey her thoughts on her experience with law enforcement.

Participant # 1 regarding her attempt to obtain a restraining order from law enforcement against the man who harmed her:

*...So, you're [law enforcement] supposed to be helping me...but you're making me feel like shit, and making me scared and intimidated. But then when I go and reach out for help it's like 'oh no, we can't help you with that'. So, it [law enforcement intervention] just felt useless...*

When I asked participant # 1 to summarize her feelings regarding not pressing charges against the man who harmed her, this was her reply:

*I didn't end up pressing charges because I felt that...I was gonna traumatize myself more. And after hearing from other survivors [redacted] ...I'm so glad that I didn't. I'm so glad*

*that I didn't. But of...of course there's a part of me that's like "I hope he's not out there somewhere doing this to somebody else". But I know I can't play God and try to save the world. So, I'm glad that I didn't go forward with that and that I just took care of myself because even without going through the legal system I still faced so many challenges. It took so long to even feel normal with other people in the room. So, I can't imagine putting myself through that...having to be on a witness stand and having some lawyer tear me apart. I just think it would have been horrific. I already went through something horrific. I'm glad I didn't go that route.*

Participant # 1's observations were interesting because throughout the assault there were times where she felt her only option was to call the police. However, each time she engaged law enforcement she was left feeling judged, intimidated and under-supported. It is also clear that participant # 1 had a desire for the man who harmed her to be held accountable, however engaging the legal system posed too many risks to her mental well-being, survival and recovery.

In the case of participant # 2, she described two instances of sexual harm; one in which she engaged law enforcement and another in which she refrained from engaging law enforcement. Participant # 2 describes herself as an African-American woman. Participant # 2's first instance with sexual harm involved being groped by a stranger on public transit. She reported the incident to law enforcement following seeing a media release regarding the same man inflicting harm on other women in the same manner. Participant # 2 chose to report this instance of sexual harm and ultimately found the experience contributed to a heightened sense of safety and accountability. The man who harmed her was charged, and she found her interactions with law enforcement to be supportive.

*I chose to utilize police at that time because there was already a bit of a foundation there through the other cases. Unfortunately, it should not have gotten as far as it did; it should have been nipped in the bud right from the first person. But that was my incentive to come forward.*

The power of collective experience provided participant # 2 heightened access to a law enforcement intervention and legal recourse with less risk of victim-blaming and rape mythology



being applied to her experience. Participant # 2 noted, however, that her access to law enforcement and the legal system as a policy response to sexual harm may have been problematic as it required multiple allegations from multiple survivors in order for the man who harmed her and others to be stopped and held legally accountable for his actions. This points to rape mythology present in state responses to sexual harm that err on the side of disbelieving survivors unless their claims of sexual harm can be corroborated by multiple other witnesses or victims.

However, the second instance of sexual harm experienced by participant # 2 was more complex. She was sexually harmed by a man whom she had gone on two dates with. On the first date participant # 2 noticed that he was sexually aggressive. However, she courageously addressed the behaviour with him directly and he apologized. On the second date, the man sexually attacked participant # 2. The man who attacked participant # 2 was a Black man. The following quotes are participant #2's description of the manner in which white supremacy and patriarchy intersect within the context of law enforcement, the legal system and sexual harm. She presents this as a primary factor informing her choice to not report the instance of sexual harm to law enforcement:

*With a more personalized case [of sexual harm] I'm thinking: we're both Black and construed as being a certain way [by society, law enforcement and the legal system]. You know, Black women are hypersexualized and fetishized and always seen as this...kind of...temptress...this hypersexual being and I know exactly how this [case of sexual harm] was going to be construed [by law enforcement and the legal system]: "You had one interaction with this person that was unpleasant, why did you go back? You must have liked it...". Like, I knew...I was so convinced in my mind of things that were never said; of conclusions that were never drawn; of accusations that were never made. But I was so convinced that this was the way things were going to play out that I did not report. When I really should have...because after the assault took place, I couldn't be physically intimate with anybody.*

In regards to the implications of white supremacy and the legal system on Black men who enact sexual harm, participant # 2 said the following:

*I was so concerned about with the other individual and their safety, like, you know he's a Black man and him navigating this [legal] system...what would that look like for him? What would that look like for his family? That's where my concern was. Now that I'm really thinking back on it, I realize I was thinking: "How is this going to impede his life?" And it's like; why do I care? This person did you harm. They should be held accountable to the fullest extent of the law.*

These two quotes depict the double jeopardy of white supremacy and patriarchy that can impact women who are Black who experience sexual harm by men who are Black. Participant # 2 indicated that despite no one explicitly telling her, she was aware that Black womens' experiences of sexual harm are under-valued<sup>109</sup> and that Black men are vulnerable to being stereotyped as particularly sexually dangerous within the context of the legal system<sup>110</sup>. The intersectionality of white supremacy and patriarchy resulted in participant # 2 having to look out for the well-being of the man who harmed her despite the harm she incurred through his actions being severe and their impact withstanding.

#### *Survivor-informed policy*

In our conversations, I asked both participants what would have actually been helpful following their experiences with sexual harm. The answers they provided were insightful, often overlapping and intricately relate to the process of abolitionism and transformative justice which will be discussed further in the 'Discussion' chapter of this inquiry. While including the entirety of both participants statements regarding what constitutes care-informed policy for sexual harm is beyond the scope of this paper, I have attempted to capture the essence of their words within the excerpts provided below:

---

<sup>109</sup> Maynard, "Policing Black Lives", 45.

<sup>110</sup> Maynard, "Policing Black Lives", 42.

Participant # 1:

For me, it would have been **no police involvement; no hospital; no medication and less...unless a survivor asks for it...medical intervention...no rape kit....**it would have been ideal if I could do this all over again and have the right situation meet me on the other end, I would say, **a holistic treatment center**, like a retreat...and a place where I feel safe and for this place to have holistic healers and an array of holistic treatments.

Mindfulness, meditation, yoga, grounding exercises, holistic counsellors to talk through the trauma. There's a whole lot of 'holistic' in here. Holistic transitional plans and connections to ongoing holistic services and the invitation to return if you feel like you need to...**I think this service should be free.** I think they should also offer you funding to get back on your feet....**and I think this should be funded through defunding the police...we don't need a guy with a gun and a badge to show up and ask us what we were wearing.** I just don't think it's important. **I think if we had this [holistic services] instead...we'll have a lot less broken people walking around. So, I think it should be funded by taking funds away from the police. That's the ideal.**

But I also think it should **be normalizing women being able to say 'no' to things that they don't feel comfortable with**...just normalizing women being able to say no and also taking down the patriarchy. I feel we just normalize it, like boys pulling your hair on the playground...or them taking advantage of your body and you're just supposed to take it. Oh, boys will be boys...I hate that term. Like...I haaaate that term.

I didn't need him to be behind bars. **Jail or prison is not necessarily a good treatment for sexual assault, like, abusers, you know?** So yeah, I think justice for me is getting through these big milestones in life like getting my bachelors in [redacted] and getting my masters and all that stuff...justice for me is in things other than 'guilty' because **I don't need anyone to tell me that he was guilty...like...I know he was.**

And there's a cultural piece for me as an Italian woman. For me, my mom briefly and reluctantly talked to me about sex when I hit puberty. However, my dad never talked to me about sex, dating, my body changing- nothing. This is very common in Italian culture- you don't have these conversations with your Italian father- you just don't. My dad is not as fault he was just practicing and passing down how he grew up in an Italian immigrant house hold. A household all about family but not a family you talked to about sex. I think if he had any conversations with me about sex or about how to protect myself or saying to me 'you need to respect your body' would have made a difference. Hearing that from an adult male, my father, who I deeply respected I think would have prepared me more. I think I would have been able to see more red flags and I would have felt comfortable going to him when I was sexually harmed. Instead, there was so much shame. And when I had this older man come around and start taking agency over my body I was like, 'what the fuck is going on, I've never had an older man talk to me about sex or touch me in a sexual way, I was not prepared'. I really thought at the time, as a young person, this must be how adults act when they want you. I didn't want any of it but I was unprepared and didn't know how to make it stop."

Participant # 2:

*It's not just an officer with a gun and a badge sticking a notebook or recorder in your face and asking you to relive the most traumatizing moments of your life. It's not just about going and having an intrusive rape kit done by someone who has no academic or emotional lens for this kind of work. It's about the way that we have court support; it's about the way that we have survivor support. **It's about allocating funds towards really doing holistic work.** The work of trying to **compensate people for the time that's lost** when you can't go to the office, you can't get out of bed but you need to pay your bills; you need to grocery shop but you're scared to go outside...**It's also about allowing room for privacy.** Sometimes navigating these resources is so intrusive and harmful. **Dealing with law enforcement is so intrusive and so harmful.** And it's about **giving the person...the option of intergenerational supports or introducing Indigenous holistic ways of dealing with assault and survival.** It's about having **People of Colour on standby...and I'd really like to see women band together** – no matter where it is you're coming from, no matter what your walk in life is; we don't support one another enough through assault. There's always some...whether insular or direct...stream of victim-blaming. It's also that nurturing piece. **If we could revise what nurturing looks like for women-identifying folks.** Because we're still doing a lot of that protecting; a lot of minimizing what happened to us. **Specialized avenues for support for Women of Colour; for Indigenous communities; for two-spirited communities; LGBTQIA communities,** especially because of the amount of degradation and assault that happens with our Queer and Queer-identified folks...it's appalling. There needs to be nuanced spaces to navigate these different hurts and different intersectionalities....”*

*Dispatches from survivors to survivors*

Both participants, unprompted, offered words of solidarity to other survivors of sexual harm who may encounter this inquiry. These quotes highlight an awareness among survivors that the opportunity to speak candidly to one another is inhibited by the shame and cultural silence that surrounds our experiences. Another implication is that survivors themselves may be an invaluable policy-response to sexual harm. The majority of survivors whom I speak with regarding the pursuit of legal recourse for sexual harm are overwhelmingly interested, not in exacting vengeance on the person who harmed them, but in ensuring that the person who harmed them is not provided with the opportunity to continue to harm other people. Survivors often hope that the violence we have encountered ends with us because we know how much it hurts. I

personally feel this love for other people: never do I want anyone to experience the hurts I have experienced. I have also been the recipient of this kind of care from other survivors and it has been critical in my healing process. This ethic of care among survivors holds critical policy implications both in terms of how we should approach accountability in response to people who harm, but also in terms of *who* should be working with survivors overall. As survivors have historically been taken up with suspicion and doubt by their communities and the legal system, it may be important for future policy to be constructed and executed by survivors as we seem to have the capacity to offer one another the solidarity, witness and care despite not knowing one another, as exemplified in the quotations below:

*Participant # 1:*

*I just hope that any [survivor] who this [research] reaches who might be fresh out of their assault...I just hope that this research gives them something to hold on to and hugs them tight; and for them to know that there are people who have been through some really messed up things and that there is a light at the end of the tunnel. There's that saying 'time heals all wounds', but I think it's what you do in that time. And I think that if you're somebody who just went through it, or someone close to you just went through it, that they know they can get through to the other side, and I hope that maybe my story and the other stories shared in this research might give some kind of a glimmer of hope, and hopefully maybe this might bring about some type of policy change. That would be amazing...*

*Participant # 2*

*...I want to say to anybody who may hear this: you're not alone; you are transcendent; you are wonderful; you matter; you are meant to be here; and love yourself because at the end of the day the most important love you have is the love for you. And you will survive this and I know you are out there. I hear you. I see you. I validate your resilience and your tenacity. Keep faith. Hang in there. It's not easy but you can do this and you will do this. I believe in you. Just stay strong and you will be OK in time...*

## CHAPTER 6: DISCUSSION

This inquiry was born out of a desire to explore the implications of law enforcement abolition and sexual harm policy from the perspective of sexual harm survivors. The Black Lives Matter Movement, among other movements, in conjunction with the stark realities that state violence against people who are Black, has elicited public interest regarding the prospect of defunding or abolishing law enforcement. However, the question “What about the rapists?” has operated as a rebuttal to the notion of a future wherein law enforcement is either defunded or abolished entirely<sup>111</sup>. There are layers to the issue of whether or not law enforcement is of any value and the implications of their abolition within the context of sexual harm that are worth unpacking. This chapter is dedicated to the following:

- Disclosing the limitations of this MRP
- Discussing the implications of this MRP as it relates to social work
- Connecting the findings of this MRP to the literature explored in chapter 2.
- Exploring law enforcement abolition as it relates to this particular inquiry and sexual harm as a whole.

### *Limitations and implications for future inquiries:*

The limitations of the current inquiry are many. As mentioned in the ‘Findings’ portion, qualitative search work with sexual harm survivors of sexual harm is an emergent area of research. In order to do effective, safe qualitative inquiries with sexual harm survivors, it is imperative that researchers engage in praxis, or the act of reflecting on research in order to

---

<sup>111</sup> Ilea, “What About ‘the Sex Offenders?’”, 357-372.

inform future practices. Were I to do this research again, or expand upon what has been presented within this MRP, I would do the following:

- Ensure that the REB would allow for the researcher to disclose their subject position and positionality within the recruitment flyers. Doing so would allow participants an enhanced degree of agency in deciding whether or not participation felt safe to them.
- Ensure that the REB would allow for all audio-visual materials to be given to participants upon commencing the research conversations. Doing so would further avoid the potentially harmful extractive quality that can accompany engaging in research with human subjects by positioning them as the primary owners of the material that they provided to an inquiry.
- Ensure that REB protocols allowed for as much or little time for participants to share their perspectives and stories. Doing so would allow for participants to disclose as much or as little content as they deemed appropriate without the researcher breaking the pre-determined ethical protocols applied to the research process.
- Continue to expand upon this kind of search work regarding how sexual harm survivors experience law enforcement as it relates to sexual harm as well as what sexual policy approaches would support their safety and well-being. While qualitative data seeks a thick description from a small sample pool, it is critical that we continue to expand our understanding and documentation of sexual harm survivors' perspectives, as it is an incredibly diverse demographic. Furthermore, even when identities are shared by survivors, such as race or gender identity, within each demographic exists a diversity of perspectives and experiences. We cannot forget that no person can speak on behalf of all people from their demographic identity.

continuing to interview survivors from all backgrounds will continue to form a body of research that can take into account the diversity of people it is seeking to understand, which in turn could hopefully provide a foundation for truly survivor-informed policy frameworks.

- Future qualitative inquiries regarding sexual harm survivors and law enforcement will hopefully engage literature reviews that encompass a multi-disciplinary and structural approach to reviewing existing literature on the topic. As noted in the ‘Literature review’ chapter of this MRP, strictly leaning on feminist and legal scholarship to inform research regarding sexual harm survivors can result in the inquiry being predicated on information that lacks systemic and historical perspective of law enforcement and its relationship to sexual harm. Including literature informed by critical theories such as anti-Black racism, Anti-colonialism, Abolitionism and Intersectional Feminism can create a stronger foundation for critiquing current policy models than feminist and legal scholarship can alone.

*Implications for social work:*

Within the literature review, it was mentioned that a quantitative inquiry conducted by Weist et al. found that Black survivors are less likely to engage in traditional social services than their white counterparts<sup>112</sup>. With this in mind, it is imperative that social workers consider how the sexual harm response services they provide may or may not be suitable or appropriate for historically neglected demographics. Furthermore, some individuals from historically neglected demographics, such as people who are Indigenous, may not experience sexual harm survivor support services provided by social workers as supportive at all due to social work’s historical

---

<sup>112</sup> Weist et al., “African American and White Women’s Experience of Sexual Assault”, 901-916.



and present role in supporting settler colonial objectives that undermine Indigenous culture and sovereignty<sup>113</sup>. For instance, social workers have actively contributed to the residential school legacy, alongside law enforcement, through surveilling Indigenous families and enforcing the removal of Indigenous children from their homes and into residential schools<sup>114</sup>. The residential school system enabled the systematic sexual abuse of Indigenous children at alarming rates by settlers tasked with ‘caring’ for Indigenous children. This legacy continues today in the form of Indigenous children being removed from their families and being made crown wards by social workers at ever-accelerating rates<sup>115</sup>. Keeping these kinds of histories close in mind is vital for social work to, if at all possible, take accountability for the harm it has caused people who it claimed to ‘help’ and to redirect its objectives towards policies informed by the people whom it seeks to serve. To write an entire social work paper regarding the violence inflicted by law enforcement upon historically neglected demographics without indicting social work for doing the same would be hypocritical, at best. It is my hope that by drawing parallels between social work and the police we can work towards a social work that is perhaps very different from the one we know today; one that is open to learning from our mistakes and accounting for the fact that we may have no right to implement policies upon people who we seek to serve. Instead, we may want to focus on rebuilding trust with populations whom we have harmed through listening to service users and informing our policies and actions with service-user driven expertise, and

---

<sup>113</sup> Fortier and Hon-Sing Wong, “The Settler Colonialism of Social Work and the Social Work of Settler Colonialism”.

<sup>114</sup> National Inquiry into Missing and Murdered Indigenous Women and Girls, *Reclaiming Power and Place*.

<sup>115</sup> Weigers, “Child placement and the legal claims of foster caregivers.”

having our actions meaningfully evaluated by service users, as opposed to funders or boards of directors.

*Law enforcement abolition:*

Law enforcement abolition is a challenging notion because it forces one to reconsider the premise of what constitutes safety, as well as what and who can provide safety. For some, the police and the criminal legal system operate in the back of their minds as a safety net that will protect them when they are victimized by crime. For others, the police and the criminal legal system operate as a looming source of danger, a destructive force that breaks apart families, communities and take lives unnecessarily in the name of law and order<sup>116</sup>. The discrepancies in how law enforcement is experienced and perceived by differing demographics highlights that the cultural argument that they are required to universally keep us safe is unsound, as their protective interventions favour certain individuals and communities over others. For instance, it has been demonstrated that survivors of sexual harm who are transgender<sup>117</sup>, undocumented<sup>118</sup>, Black<sup>119</sup>, Indigenous<sup>120</sup>, among other historically neglected demographics have less access to law enforcement protection than individuals who occupy gender, race, citizenship status and class privilege, among other privileges<sup>121</sup>. Therefore, if we lean into the idea that policies for

---

<sup>116</sup> Maynard, “*Policing Black Lives*”, 102-107.

<sup>117</sup> Bracho-Sanchez, “Transgender Teens in Schools with Bathroom Restrictions Are at Higher Risk of Sexual Assault, Study Says.”

<sup>118</sup> Bryant-Davis, Chung, and Tillman, “From the Margins to the Center.” Matoo and 2020, “Sexual Assault Policy Must Better Protect Migrant Women.” Maynard, “*Policing Black Lives*”, 153-155

<sup>119</sup> Maynard, “*Policing Black Lives*”, 153-157.

<sup>120</sup> Pollack, “You Can’t Have It Both Ways.”

<sup>121</sup> Méndez, “Beyond Nassar.” Anderson et al., “Differences in Rape Acknowledgment and Mental Health Outcomes Across Transgender, Nonbinary, and Cisgender Bisexual Youth.”

protecting the safety of people in Canada ought to equally apply to all people; the police do not constitute an adequate policy measure for responding to or preventing sexual harm. This statement is further supported by the historical role of law enforcement as arbiters of chattel slavery and settler land appropriation touched on in the ‘Theories’ portion of this paper<sup>122</sup>. Further still, when examining contemporary data regarding the infrequency with which law enforcement and legal intervention result in police reports being filed, charges being laid and convictions being made, it is perplexing that law enforcement has maintained the coveted position of being viewed (and funded) as an essential policy response to sexual harm for any demographic. So, when public discourse asks; “*What about the rapists?*” when discussing law enforcement abolition, it is quite accurate to reply: “*So what about the rapists?*” Law enforcement does very little to manage the rate at which sexual harm occurs.

But where do we go from here? A question that plagues the perceived legitimacy of abolitionist theory, be it in regards to law enforcement or the prison industrial complex as a whole, is that of the ‘dangerous few’. The ‘dangerous few’ perspective rests on the fact that most incarcerated people are a) not dangerous offenders and b) often criminalized due systemic issues of oppression which cause them to be targeted by law enforcement (For example: class oppression, the war on drugs, racism, etc.), and c) are simply on remand<sup>123</sup>. Informed by this, the ‘dangerous few’ argument posits that releasing all prisoners would overall be of little danger to the general population with the exception of a dangerous few, or the minute number of

---

<sup>122</sup> Lepore, “The Invention of the Police”. Walcott, “On Property”, 28-32. Vitale, “The End of Policing”.

<sup>123</sup> Carrier and Piché, “Blind Spots of Abolitionist Thought in Academia.”, Government of Canada, “Adult and Youth Correctional Statistics in Canada, 2018/2019.”

individuals who are convicted for chronic histories of severe and senseless violence. The logic of the dangerous few can be applied to law enforcement abolition as the majority of police stops are non-violence related<sup>124</sup> and the police do not prevent crime, they respond to it after it has occurred. But again, what about the dangerous few? Abolitionist theory tends to lean towards situational incapacitation of the dangerous few as the solution; or that society ought to release the majority of prisoners with the exception of a dangerous few<sup>125</sup>. The notion of situational incapacitation of the dangerous few through incarceration could be likened to ‘defund not abolish’ perspective regarding law enforcement: the idea that we still need police, but we need to minimize their presence through the diversification of policies for resolving problems within society. In the case of law enforcement, intervention diversification includes the idea of mental health service providers accompanying police; the raising of the minimum wage, relieving police of their role in traffic regulation, providing affordable housing, among other resources that have demonstrated their worth in terms of contributing to a flourishing, healthy society. The dangerous few concept is seemingly the strings that tie together the argument that both law enforcement and the prison industrial complex remain a necessity for the preservation of the safety of individuals and communities. I would argue that there are some faults to this logic.

What both abolitionists and supporters of law enforcement tend to miss is that the attrition rate for sexual harm is alarmingly high<sup>126</sup>, therefore sexual harm is hardly a legitimate consideration within the debate of law enforcement abolition<sup>127</sup>. Yet the rate at which sexual

---

<sup>124</sup> Woods, “Traffic Without the Police”.

<sup>125</sup> Carrier and Piché, “Blind Spots of Abolitionist Thought in Academia.”

<sup>126</sup> Venema, “Making Judgements”, 2697-2722.

<sup>127</sup> Ilea, “What About ‘the Sex Offenders’?”, 357-372.

harm occurs is so high that the ‘dangerous few’ argument is an absolutely incorrect approach to describing its presence within Canada. A conservative 3 in 5 women-identifying people will be sexually assaulted in their lifetime, yet only 3 in 1000 sexual assaults result in a conviction in Canada<sup>128</sup>. We are not dealing with a ‘dangerous few’ issue when it comes to sexual harm; we are dealing with a problem of epic proportions. Some survivors of sexual harm remain reticent towards law enforcement and carceral abolitionism because it is one of the very few, albeit highly ineffective, policies intended to provide redress for sexual harm<sup>129</sup>. As inadequate a response as criminalization is, what would removing it do? Would there simply be no consequences for sexual harm, perceived or real? Abolitionism has largely ignored that the criminal legal system has failed an entire demographic of people who have been harmed and who suffer greatly as a result. This means that when abolitionists speak of a ‘dangerous few’ they are largely ignoring the issue of sexual harm<sup>130</sup>. However, I do not think that this lack of recognition by abolitionism justifies the continuation of law enforcement or the prison industrial complex. This oversight may actually provide some solutions if examined carefully.

I would argue that the “what about the rapists?” argument as it applies to law enforcement could be translated into the overall question: what about safety? *This* question is one that I view as absolutely legitimate. Safety is subjective and means different things to different people. However, the data regarding the high frequency that sexual harm occurs is quite objective. So long as this continues to be the case, and so long as the options for recourse for survivors are so slim, we have not obtained safety. I have no interest as an academic, advocate,

---

<sup>128</sup> Boutilier and Wells, “The Case for Reparative and Transformative Justice, 4-28.

<sup>129</sup> Terwiel, “What Is Carceral Feminism?”

<sup>130</sup> Ilea, “What About ‘the Sex Offenders’?”, 357-372.

therapist or survivor in placing the perceived or real risks of abolitionism on the shoulders of people who have already been harmed and traumatized, even if law enforcement is overwhelmingly a useless resource for survivors at the best of times. If some survivors feel safe as a result of police, I accept this. However, accepting this perspective does not mean that other interventions are not necessary. Perhaps a broadening of interventions for sexual harm could compel carceral-minded survivors<sup>131</sup> to reconsider their support for police. As much as I would feel a certain simplistic catharsis by leaning into contemporary abolitionist calls to entirely abolish police and prisons immediately, I believe the onus is on us (abolitionists, activists, service providers, and academics) to provide proof to people who have experienced sexual harm that their safety is centered in this process. This may mean doing a lot of work prior to entirely abolishing the police and may actually situate defunding the police as a part of a process towards an objective of abolitionism.

*Safety:*

Constructing a society where all people are safe from sexual harm requires the conditions that constitute safety be clearly delineated. Based on the responses from participants, the following is clear: *None of us are safe until all of us are safe:*

In constructing policies to prevent and respond to sexual harm, all demographics must be considered, particularly those who have been historically neglected. Policy that provides safety to a privileged few is inadequate. Therefore, we must consider the fact that sexual harm is non-discriminatory in terms of who it impacts. The necessity for universally accessible yet demographic-specific policies were clearly outlined by both participants as an adequate sexual harm policy framework. Participant # 1 made it clear that policy responses to sexual harm *must*

---

<sup>131</sup> Terwiel, "What Is Carceral Feminism?"

be economically and qualitatively inclusive: that any services provided for sexual harm survivors must both be economically accessible and address the scope of the impact resulting from sexual harm. Participant # 1 framed this as ‘holistic services and approaches’ and specified that they must be ongoing if a survivor requires additional support. Participant # 2 made it clear that there must be specific response policies and interventions for People of Colour, Black, Indigenous and LGBTQIA2S+ populations, as well as being economically accessible. Participant # 1 clearly asserted that she felt this would be a plausible policy option were it to be funded by defunding the police.

*Comprehensive service provision:*

As previously stated, the notion of removing the one standard policy for sexual harm response (law enforcement) can be a frightening prospect for some survivors of sexual harm. This fear is not necessarily born of survivors experiencing police as protectors, but born out of a lack of better options: there is such a dearth of support for survivors that removing one of the very few options for recourse available may feel like absolute abandonment by society and the state alike. Providing comprehensive services to people who have experienced sexual harm has the potential to elicit a collective shift in how survivors perceive safety and care. If following an experience of sexual harm a survivor knew in no uncertain terms that they had access to respectful care, support, protection and accountability, the inertia of law enforcement to effectively address sexual harm may be accentuated. This is not a simple solution and would require a multi-faceted policy intervention.

Developing comprehensive sexual harm policies and services would require that society and its adjacent institutions recognize the ubiquity of sexual harm. Sexual harm is not an ‘outside danger’, nor the result of a ‘dangerous few’. It is present in families, all communities,

workplaces and institutions. The pervasiveness of sexual harm requires that we step away from casting people who sexually harm as universally evil. This process of destigmatizing people who sexually harm presents challenges because it could appear to some as an underestimation of the degree of harm a person can enact, and the degree of harm a person can incur within the context of sexual harm. Destigmatizing sexually harmful behaviour requires that we accept its prevalence without an outcome of more violence, vengeance or collective trauma; because realizing that ‘we are surrounded by rapists’ certainly holds traumatic potential for many. To support *all* survivors presents an obligation to accept that many people, including people who we are close to, inflict sexual harm. The acceptance that many people enact sexual harm does not translate to condoning the behaviour, but rather accentuates how essential it is that we help people who have survived sexual harm and the overwhelming number of survivors who require support. This also raises the necessity for developing policies that support people who sexually harm in changing their behaviour and developing accountability models that extend beyond locking them in prisons. Many survivors remain silent about abuse because they do not wish to see the person who harmed them incarcerated. While this may read as a classic case of Stockholm syndrome to some, participant # 1 astutely pointed out that a) she does not need a guilty verdict to know that the man who harmed her is guilty and b) prisons are not necessarily a good environment to teach people who sexually harm why their behaviour was wrong and how to change said behaviour. Participant # 2 further supported this point by disclosing that she did not report one of her experiences of sexual harm because she knew that the criminal legal system frequently enacts violence upon men who are Black. Therefore, in order to recognize the full scope of survivors who exist, we must also recognize the full scope of people who enact sexual harm and provide services for both of these demographics. Accepting the scope of sexual harm



situates sexual harm as an issue that ought to be prioritized in terms of social policy but also funding policies for social services.

*Transformative approaches: leveling the playing field of power*

Both participants made it clear that ‘holistic efforts’ are necessary in order to provide comprehensive support to survivors. If we look at this notion of ‘holistic efforts’ from a broader perspective, they begin to appear as calls for transformative justice<sup>132</sup>: to not only address the harm, but the conditions that enabled the harm to occur. Survivors often face barriers prior to and following sexual harm that increase risk of further harm. Discrepancies of power between people provides conditions wherein sexual harm a) is more likely to occur and b) is less likely to be adequately addressed. For instance, it is common for sexual harm survivors to not be able to leave the context wherein violence occurs due to dependency. People who are harmed by their spouses are often financially dependent on said spouse; people who are harmed by their boss often need their job; children who are harmed by their caregiver are reliant upon said caregiver for survival. While certain power discrepancies are necessary, as children will most likely always require their caregivers, there are many measures that can be taken to distribute power throughout society in a more equitable fashion, allowing people greater choice in how they conduct their lives and whom they are associated with. This can take the form of introducing policy measures such as universal basic income, which would allow individuals the financial flexibility to have a broader range of choice in how they obtain capital without the risk of becoming poverty entrenched. This also looks like supporting children in developing their voice and confidence by truly listening to them and including them in decision-making in meaningful ways. In doing so, children would become more powerful members of society and therefore less

---

<sup>132</sup> Armatta, “Ending Sexual Violence Through Transformative Justice”.

vulnerable to having violent power enacted upon them. It can also look like sex-positive parenting in order to reduce or eliminate shame from the approach in which sex is understood and discussed.

There are *so* many ways in which we can collectively construct a world that results in a decrease in sexual harm, or more choices for people prior to and following sexual harm. While this may initially appear as an endless list, it may actually be a truly inclusive approach to policy: we all have a place in the process of building better sexual harm policy. This policy measure, in sum, is transformative justice as a means to abolition. This requires a long-term approach to an immediate problem, which can be a painful reality for those of us who are acutely impacted by the problem. I recognize this both as a professional and as a survivor. We must also recognize that current policy interventions enable sexual harm to remain prevalent: the police are not keeping us safe, nor are prisons, nor have they ever. I ask anyone reading this to remain curious regarding what role they can play in levelling the playing field of power and the emancipatory potential of adopting a new paradigm regarding how to address sexual harm within Canadian society. We have been courageous enough to accept the failures of law enforcement as a response to sexual harm. With that in mind, I truly believe we can be courageous enough to try something new.

## CHAPTER 7: CONCLUSION

I would like to extend my gratitude to anyone who has taken the time to read this. While I certainly understand that abolitionism, defunding the police, transformative justice, among other concepts focussed on within this MRP are at times perceived as lofty, privileged or overly-idealistic. I can assure you that this is not the spirit in which this inquiry was taken up. As I mentioned, I am a survivor whose life has been shaped by experiences with sexual harm. I am also a service provider for people who have survived the most egregious forms of sexual harm and trafficking. There are few people who I provide service to who were not sexually harmed as children, which is arguably the most gutting and insidious form of sexual harm. The severity of this issue is certainly not lost on me. I am committed to providing those I work for with the best support I possibly can on their terms, whether it involves law enforcement or not. I hold an ethic of agency and choice as central in how I approach working with survivors. However, I have spent years working towards legal and social reformist policies for sexual harm and in doing so it has become abundantly clear to me that reforming an irreparably broken system is perhaps more lofty, privileged and idealistic than adopting more radical approaches to social change, such as transformative justice and abolitionism. The beauty of academia is that it can be a space for thought and perspective: it is here that I have the space to lay out what I truly think and feel without imposing it upon the people who I work for. It is within this space that the value of non-binary thinking becomes clear. While I believe exactly what I have laid out in this MRP, I also understand that societal and political change are complex and require a geological lens to be applied to time: the changes I would like to see most likely will not be realized within my lifetime. While this makes me profoundly sad, it also lays a road of possibilities before me, as

well as for you and everyone we know. I hope that we can all, in our own way, do the work of showing up for the future by realizing our potential to make our current world more equitable, care oriented and courageous.

Appendix 1:



**Resource Referrals for Research Participants:**

**Legend:**

<b>Colour:</b>	<b>Heading:</b>
<b>Highlight</b>	<i>Main Headings</i>
<b>Red</b>	<i>Emergency Services</i>
<b>Blue</b>	<i>Peel Region</i>
<b>Green</b>	<i>Toronto Region</i>
<b>Orange</b>	<i>Halton Region</i>
<b>Purple</b>	<i>Support Services</i>

**Sexual Assault Services:**

<b>Name of Program</b>	<b>Location</b>	<b>Description</b>	<b>Contact Number</b>
<b>Peel</b>			
Chantel's Place	Mississauga	Sexual Assault & Domestic Violence Services (Regional Program)	905.848.7580 ext. 2548.
Victim Services	Mississauga	Assists Victims of violence including sexual violence	905.568.1068
<b>Toronto</b>			
Hassle Free Clinic	Down Town	Sexual Health Clinic serving the Trans community	416.922.0566
SASSL (Sexual Assault Survivors' Support Line)	North York	Offers support to survivors and their families	Crisis line: 416.650.8056

			Office: 416.730.2100 ext. 40345
Sexual Assault Care Centre - The Scarborough Hospital	Scarborough	Medical and emotional care for victims of sexual assaults 12 years and older, male & female	416.495.2555 TTY: 416.498.6739
<b>Halton</b>			
Sexual Health Clinics	Operator will search by city	Health Clinics in your area	905.825.6000 ext. 6065
SAVIS (Sexual Assault & Violence Intervention Services)	Oakville	Provides, Education, Counselling, Practical Support & Senior Sharing Circles	905.825.3622 TTY:905.825.3743
Nina's Place (Joseph Brant Memorial Hospital) (Sexual Assault Care Centre)	Hamilton	Provides care to those who have been sexually assaulted	905.632.3737 ext. 5708

### **Main Crisis Lines:**

<b>Name of Line</b>	<b>Description</b>	<b>Contact Number</b>
<b>Peel</b>		
Interim Place South	For those in crisis- needing shelter, referral or counselling	905.403.0864
Interim Place North	For those in crisis- needing shelter, referral or counselling	905.676. 8515
Distress Centre Peel	For persons in distress or crisis	905.278.7208
<b>Toronto</b>		
Distress Centre	For persons in distress or crisis	416.408.4357
<b>Halton</b>		
COAST	For residents of Halton 16yrs & up with mental health and/ or in crisis	1.877.825.9011
SAVIS (Sexual Assault & Violence Intervention Services of Halton)	24 hour Help Line for Victims of Sexual Assault	905-875-1555
Oakville Distress Centre	For residents in distress or crisis (24 hrs)	905-849-4541
North Halton Distress and Info Centre	For residents in distress or crisis (24 hrs)	905-877-1211
Mental Health Helpline	For those with Mental Health Diagnoses	1-866-531-2600

### **Counselling Services:**

Program Name	Location	Description	Contact Number
<b>Peel</b>			
Catholic Family Services	Mississauga	Counselling Services	905.897.1644
Tangerine	Mississauga- Several locations (visit website)	Walk-In Counselling <b>free of charge</b> for children and youth- 18 yrs, + their parents, + caregivers/adult supporters. <b>Only available to</b> residents of the Region of Peel.	905.795.3530
Catholic Family Services	Brampton	Counselling Services	905.450.1608
Family Services of Peel	Mississauga	Counselling Services	905.270.2250
Family Services of Peel	Brampton	Counselling Services	905.453.7890
<b>Toronto</b>			
Family Service Toronto	Downtown Toronto, Scarborough, North York, South Etobicoke, and Rexdale.	Counselling Services	416.595.9618
Catholic Family Services of Toronto	Central	Counseling Services	416.921.1163
Catholic Family Services of Toronto	North Toronto	Counselling Services	416.222.0048
David Kelly Program (provided by: Family Services Toronto)	Down Town	Counselling Services & Groups for LGBTQ persons	416.595.9230
Sheena's Place	Down Town	Group Therapy Support- Eating disorders	416.927.8900
<b>Halton</b>			
Burlington Counselling and Family Services	Burlington	Counselling Services	1.866.457.0234
Family Services of Peel	Bolton	Counselling Services	905.857.1554
Positive Space Network	Burlington	Offers groups for LGBTQ youth	905-634-2347 ext. 408

(LGBTQ youth groups)			
----------------------	--	--	--



*Appendix 2:*



**Email Script for recruitment**

Hello,

My name is Jennifer Good and I am a Graduate student at Ryerson University in the School of Social Work. I am contacting you to see if you might be interested in participating in a research study entitled: **In our own words: Towards a Survivor-Informed Response to Sexual Harm**. This research is being conducted as a partial fulfillment of my Masters of Social Work requirements.

I am looking for a maximum of 5 participants for this research.

This research is being done as part of my master's project. My supervisor is Dr. Jennifer Poole, Associate Professor in the Ryerson School of Social Work. The focus of the research is to gather the stories sexual assault survivors' experiences with law enforcement, and to explore survivors perspectives on effective sexual assault policies and supports.

To participate you must:

- a) identify as a survivor of sexual assault;
- b) currently be 18 years of age or older;
- c) have experienced sexual assault prior to 2016;
- d) speak fluent english;
- e) be available for and consent to an audio-recorded phone interview of 1.5 hours.

If you meet the participation and criteria stated above and agree to volunteer, you will be asked to participate in one hour and a half long phone interview where you will be asked to share your personal experiences of choosing whether or not to engage law enforcement post sexual assault, and your reflections on this choice. **Your participation is voluntary and you are able to withdraw at any time prior to August 1, 2021.**

Your participation will involve a singular one and a half hour-long phone interview, and correspondence after the interview to approve the data being used from your shared story.

In appreciation of your time and knowledge, you will receive a \$50.00 honorarium which will be sent to you via e-transfer at the beginning of the interview process.

The research is unfunded and has been reviewed and approved by the Ryerson University Research Ethics Board (REB 2021-073)

If you are interested in more information about the study or would like to volunteer, please reply to this email [jenni.oneill@ryerson.ca](mailto:jenni.oneill@ryerson.ca). If you have any questions about your rights or treatment as a research participant in this study, please contact the Ryerson University Research Ethics Board at [rebchair@ryerson.ca](mailto:rebchair@ryerson.ca) (416) 979-5042



## Email Script

Dear Person,

Ryerson REB has approved my research proposal to interview up to a maximum of 5 folx who have experienced sexual assault and who are interested in sharing their perspectives on law enforcement and survivor-informed sexual assault policy. This research is being conducted as a partial fulfillment of my Masters of Social Work requirements. The name of the study is: **In our own words: Towards a Survivor-Informed Response to Sexual Harm**

I am seeking a maximum of five participants who fit the following criteria:

Folx who:

- a) identify as a survivor of sexual assault;
- b) are currently 18 years of age or older;
- c) experienced sexual assault prior to 2016;
- d) speak fluent english;
- e) are available for and consent to an audio-recorded phone interview of 1.5 hours.

I am attaching my recruitment email in the hopes you will share with your networks. My contact information is contained within the email for potential participants to contact me at their own convenience. Please email me if you have questions. Thank you in advance.

Warmly,

Jennifer Good

If you are interested in more information about the study or would like to volunteer, please reply to this email [jennifer.good@ryerson.ca](mailto:jennifer.good@ryerson.ca).

If you have any questions about your rights or treatment as a research participant in this study, please contact the Ryerson University Research Ethics Board at [rebchair@ryerson.ca](mailto:rebchair@ryerson.ca) (416) 979-5042.

The research is unfunded and has been reviewed and approved by the Ryerson University Research Ethics Board (REB 2021-073)

*Appendix 3:*



**In Our Own Words: Towards a Survivor-Informed Response to Sexual Harm**

**Revised Interview Guide:**

1. Why are you here today? Why did you want to participate in this research?
2. Is there anything about yourself that you feel is important for me, as a listener, to know before we begin?
3. Were law enforcement involved in responding to your experience with sexual assault? If so, how?
4. If applicable, how did you find engaging with law enforcement following sexual assault?
5. What would meaningful support following a sexual assault look like to you?
6. How would you imagine a path to a world where sexual assault does not exist?  
How would we as a society build the conditions for that to be so?
7. Is there anything else I should know about your story?



RYERSON UNIVERSITY

RESEARCH CONSENT FORM

TITLE OF RESEARCH:

In Our Own Words: Towards a Survivor-Informed Response to Sexual Harm

REB #: 2021-073

INTRODUCTION AND PURPOSE:

My name is Jennifer O'Neill. I am a Graduate Student at Ryerson University working with my faculty supervisor, Dr. Jennifer Poole, Associate Professor in the School of Social Work. As a part of the fulfillment of my masters in social work I would like to invite you to take part in my research study, which concerns sexual assault survivor's experiences with law enforcement, and their perspectives on sexual assault response and prevention. I am seeking to recruit a maximum of five participants for this study.

WHO CAN PARTICIPATE:

To participate you must:

- a) identify as a survivor of sexual assault;
- b) currently be 18 years of age or older;
- c) have experienced sexual assault prior to 2016;
- d) speak fluent English;
- e) be available for an audio-recorded phone interview

WHAT YOU ARE BEING ASKED TO DO:

You are being asked to voluntarily complete one phone interview that will be audio-recorded. It involves answering questions about your

personal experiences with sexual assault and law enforcement. The interview will approximately require 1.5 hours of your time to complete.

It is advised that you choose an interview time and location that ensures both your aural and visual privacy.

#### SAMPLE QUESTIONS:

- a) Why are you here today? Why did you want to participate in this research?
- b) Is there anything about yourself that you feel is important for me, as a listener, to know before we begin?
- c) Can you tell me about your experiences with law enforcement prior to experiencing sexual assault?
- d) Were law enforcement involved in responding to your experience with sexual assault?
- e) If applicable, how did you find engaging with law enforcement following sexual assault?
- f) What would meaningful support following a sexual assault look like to you?
- g) How would you imagine a path to a world where sexual assault does not exist?

#### POTENTIAL BENEFITS:

There is no guarantee that you will benefit by taking part in this study. Through this research, we hope to contribute to the research and practice that seeks to improve services for survivors of sexual assault.

#### WHAT ARE THE POTENTIAL RISKS IN PARTICIPATING?

##### LEGAL RISK:

###### Duty to Report:

There are some specific cases in which your confidentiality cannot be protected:

- (a) If you intend to harm yourself;
- (b) If you intend to harm someone else;
- (c) If there is reasonable suspicion that a child up to the age of 16 years old is at risk of neglect, abuse, or witnessing parental violence (we are required by law to report this to child protective agencies immediately); or (d) If a regulated healthcare professional has engaged in inappropriate sexual behaviour toward you and you provide us with the name of this individual.

##### PSYCHOLOGICAL RISK:

During the interview there is a risk that you may experience psychological discomfort while disclosing experiences of sexual assault and the lived experience of choosing whether or not to access law enforcement post-assault, and if applicable, engaging with law

enforcement post assault.

To mitigate this discomfort prior to the phone interview, you will be reminded that they can skip questions, take a break, or discontinue the interview permanently as well as withdraw from the study at any time. You will also be made aware of resources they can access in order to receive psychological support.

After the interview, I will again check-in with you and offer information about where to access support services. Additionally, you are welcome to contact me at any point for information about accessing support services.

#### PRIVACY AND CONFIDENTIALITY RISK:

You may be concerned that your identity will be detectable in the final research report.

No identifying information will be contained in the final MRP (Masters Research Paper) publication. All participant data, including demographic information, will be stored securely on the Ryerson Google Drive and destroyed upon MRP publication. Participants will have the opportunity to review and revise their interview transcripts to ensure all potential identifying information is removed from the transcript. All participants will be assigned a number following signing the research consent agreement form. The document containing participant names and their corresponding identification number will be only accessible to me, and will be destroyed upon publication of the final draft of the MRP.

Your identity will be kept confidential from the public. The only person who will know your identity is the myself, the researcher, who will be interviewing you and corresponding with you to set up an interview and approve data collected from you. Direct quotes and themes will be included in the final MRP, but all identifying information will be removed including names, places, organizations and ages, for example.

#### DUAL ROLE RISK

In the extremely unlikely case that a participant is known to me, I will arrange to discuss with them the specific nature of my research in order for them to be able to consider and choose whether or not they feel comfortable participating in research with me as the researcher. Additionally, if participants are known to me, they will be assured that no identifying information will be used in the transcripts or the final MRP and that I would not discuss their contribution to research in any context outside of the MRP publication. They will also be assured that they may withdraw from the study at any time with absolutely no consequence to their relationship to me, nor to Ryerson University or any future research participation opportunities. Participants will be given the opportunity following their interview to review and edit their

interview transcript, and to remove any identifying details they feel would pose a risk to their privacy. Additionally, any potential participants who are known to me will be given the opportunity to discuss any of the above or other concerns with my supervisor, Jennifer Poole. In providing my supervisor as an alternative response contact, the risk of potential participants who are known to me feeling obligated to participate or share will be minimized.

#### HOW YOUR INFORMATION WILL BE PROTECTED AND STORED:

Signed research relationship agreements, audio recorded interviews, interview transcriptions, and contact information (names, email or phone number) will be collected and digitized. All digital data will be stored electronically on Ryersons' secure Google Drive. Following transcription of your interview, all interview audio files will be destroyed. The transcripts will be accessible to both myself and my supervisor Dr. Jennifer Poole until findings are drafted. A copy of your interview transcript will be stored as a Google doc in a secure Google drive folder. Approximately one week following your interview, the document of your sole transcript will be shared with you via email. You will be asked to review and edit this transcript to ensure that your privacy is preserved and that transcript contents accurately reflect your perspectives and experiences. You will be granted a week and a half to review and edit your transcript. All files relating to research will be deleted prior to publication of the final Master's research paper draft, which is estimated to be September 1, 2021.

#### DATA DISSEMINATION

The MRP will be accessible to all participants via Ryerson's Digital Repository. Should you wish to have a copy of the findings/final MRP, please go to Ryerson Library Digital Repository | Ryerson University Library.

<https://digital.library.ryerson.ca/>

#### INCENTIVE FOR PARTICIPATION:

You will not be paid for taking part in this study but will receive a 50.00 honorarium for your time and knowledge. This honorarium will be given at the start of the interview, and will be distributed by e-transfer (Email-transfer).

#### YOUR RIGHTS AS A RESEARCH PARTICIPANT:

Participation in this research is completely voluntary and you can withdraw your participation at any point in the research process. This includes during the interview and after the interview. Withdrawing from the study will not influence future relations with the researcher or Ryerson University. If you choose to withdraw from the study, the latest date to do so is August 1, 2021. To withdraw from the study please contact the researcher at [jenni.oneill@ryerson.ca](mailto:jenni.oneill@ryerson.ca).



## QUESTIONS:

If you have any questions about this research, please feel free to contact the researcher.

Researcher: Jennifer Good

[jennifer.good@ryerson.ca](mailto:jennifer.good@ryerson.ca)

Supervisor: Dr. Jennifer Poole, Associate Professor, School of Social Work

Phone Number: 416-979-5000, ext. 6226

Email: [jpoole@ryerson.ca](mailto:jpoole@ryerson.ca)

If you have any questions about your rights or treatment as a research participant in this study, please contact the Ryerson University Research Ethics Board at [rebchair@ryerson.ca](mailto:rebchair@ryerson.ca) (416) 979-5042

This research is unfunded and has been reviewed and approved by the Ryerson University Research Ethics Board (REB 2021-073)

## REFERENCES

- Ahrens, Courtney E., and Erendira Aldana. "The Ties That Bind: Understanding the Impact of Sexual Assault Disclosure on Survivors' Relationships with Friends, Family, and Partners." *Journal of Trauma & Dissociation* 13, no. 2 (March 1, 2012): 226–43. <https://doi.org/10.1080/15299732.2012.642738>.
- Anderson, RaeAnn E., Lesley A. Tarasoff, Nicole VanKim, and Corey Flanders. "Differences in Rape Acknowledgment and Mental Health Outcomes Across Transgender, Nonbinary, and Cisgender Bisexual Youth." *Journal of Interpersonal Violence* 36, no. 13–14 (July 1, 2021): NP7717–39. <https://doi.org/10.1177/0886260519829763>.
- Armatta, Judith. "Ending Sexual Violence Through Transformative Justice." *Interdisciplinary Journal of Partnership Studies* 5, no. 1 (February 26, 2018): 4–4. <https://doi.org/10.24926/ijps.v5i1.915>.
- Boutilier, S, and L Wells. "The Case for Reparative and Transformative Justice Approaches to Sexual Violence in Canada: A Proposal to Pilot and Test New Approaches." Gray. Calgary: University of Calgary, 2018. <https://prism.ucalgary.ca/handle/1880/109349>.
- Bracho-Sanchez, Edith. "Transgender Teens in Schools with Bathroom Restrictions Are at Higher Risk of Sexual Assault, Study Says." *CNN Wire Service*. May 6, 2019, sec. Health. <http://www.proquest.com/docview/2220103748/citation/D165EF56421D44FEPQ/1>.
- Bryant-Davis, Thema, Heewoon Chung, and Shaquita Tillman. "From the Margins to the Center: Ethnic Minority Women and the Mental Health Effects of Sexual Assault." *Trauma, Violence, & Abuse* 10, no. 4 (October 1, 2009): 330–57. <https://doi.org/10.1177/1524838009339755>.
- Carrier, Nicholas and Justin Piché. "Blind Spots of Abolitionist Thought in Academia." *Open Edition Journals* 12 (2015). <https://doi.org/10.4000/champpenal.9162>.
- Charmaz, Kathy. "The Power of Constructivist Grounded Theory for Critical Inquiry." *Qualitative Inquiry* 23, no. 1 (January 1, 2017): 34–45. <https://doi.org/10.1177/1077800416657105>.
- Chase, Susan E. "Learning to Listen: Narrative Principles in a Qualitative Research Methods Course." In *Up Close and Personal: The Teaching and Learning of Narrative Research*, 79–99. The Narrative Study of Lives. Washington, DC, US: American Psychological Association, 2003. <https://doi.org/10.1037/10486-005>.
- Crenshaw, Kimberle. "Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color." *Stanford Law Review* 43, no. 6 (1991): 1241–99. <https://doi.org/10.2307/1229039>.

- Creswell, John, and Cheryl Poth. *Qualitative Inquiry & Research Design*. 4th ed. California, USA: SAGE Publications, Inc, 2018.
- Davis, Angela. *Freedom Is a Constant Struggle*. Chicago, Illinois: Haymarket Books, 2016.
- Durr, Marlese. "What Is the Difference between Slave Patrols and Modern Day Policing? Institutional Violence in a Community of Color." *Critical Sociology* 41, no. 6 (September 1, 2015): 873–79. <https://doi.org/10.1177/0896920515594766>.
- Enright, Michael. "Fixing a Broken System: Sexual Assault and the Law." *The Sunday Edition*. CBC, November 9, 2014. <https://www.cbc.ca/radio/sunday/remembering-alistair-macleod-sexual-assault-and-the-law-in-praise-of-the-theremin-ww1-what-for-and-vimyism-1.2905282/fixing-a-broken-system-sexual-assault-and-the-law-1.2905285>.
- Feinstein, Rachel. *When Rape Was Legal: The Untold History of Sexual Violence During Slavery*. New York: Routledge, 2019.
- Fortier, Craig, and Edward Hon-Sing Wong. "The Settler Colonialism of Social Work and the Social Work of Settler Colonialism." *Settler Colonial Studies* 9, no. 4 (October 2, 2019): 437–56. <https://doi.org/10.1080/2201473X.2018.1519962>.
- Garrow, Eve E., and Yeheskel Hasenfeld. "The Epistemological Challenges of Social Work Intervention Research." *Research on Social Work Practice* 27, no. 4 (July 1, 2017): 494–502. <https://doi.org/10.1177/1049731515623649>.
- Grey, M., D. Plath, and S. Webb. n.d. "Evidence-Based Social Work: A Critical Stance." In *Evidence-Based Social Work: A Critical Stance*, 51–73. New York: Routledge.
- Government of Canada, Statistics Canada. "Adult and Youth Correctional Statistics in Canada, 2018/2019," December 16, 2020. <https://www150.statcan.gc.ca/n1/pub/85-002-x/2020001/article/00016-eng.htm>.
- Healy, Karen. "Postmodern Practices in Context." In *Social Work Theories in Context*, 193–216. Great Britain: Palgrave Macmillan, 2005.
- Herman, Judith. "A Forgotten History." In *Trauma and Recovery*, 7–32. Basic Books, 1992.
- Hunter, Margaret. "Rethinking Epistemology, Methodology, and Racism: Or, Is White Sociology Really Dead?" *Race and Society* 5, no. 2 (2002): 119–38. <https://doi.org/10.1016/j.racsoc.2004.01.002>.
- Herman, Judith. "A Forgotten History." In *Trauma and Recovery*, 7–32. Basic Books, 1992.

- Ilea, Adina. "What About 'the Sex Offenders'? Addressing Sexual Harm from an Abolitionist Perspective." *Critical Criminology* 26, no. 3 (September 1, 2018): 357–72. <https://doi.org/10.1007/s10612-018-9406-y>.
- Kaba, Mariam. *We Do This 'Til We Free Us*. Chicago, Illinois: Haymarket Books, 2021.
- Ka Hon Chu, Sandra, Jenn Clamen, Tara Santini, and Richard Elliot. "The Perils of 'Protection': Sex Workers Experience of Law Enforcement In Ontario." Toronto, Canada: Canadian HIV/AIDS Legal Network, 2019. <http://www.hivlegalnetwork.ca/site/the-perils-of-protection/?lang=en>.
- Kendall, Mikki. *Hood Feminism: Notes from the Women White Feminists Forgot*. London, England: Bloomsbury, 2020.
- Law, Vikki. "Where Abolition Meets Action: Women Organizing against Gender Violence." *Contemporary Justice Review* 14, no. 1 (March 2011): 85–94. <https://doi.org/10.1080/10282580.2011.541081>.
- Lepore, Jill. "The Invention of the Police." *The New Yorker*, July 13, 2020. <https://www.newyorker.com/magazine/2020/07/20/the-invention-of-the-police>.
- Lorde, Audre. *The Master's Tools Will Never Dismantle The Master's House*. UK: Penguin Random House, 2018.
- Lorenz, Katherine, Anne Kirkner, and Sarah E. Ullman. "A Qualitative Study Of Sexual Assault Survivors' Post-Assault Legal System Experiences." *Journal of Trauma & Dissociation* 20, no. 3 (2019): 263–87. <https://doi.org/10.1080/15299732.2019.1592643>.
- Marques, Olga, and Lisa Monchalin. "The Mass Incarceration of Indigenous Women in Canada: A Colonial Tactic of Control and Assimilation." In *Neo-Colonial Injustice and the Mass Imprisonment of Indigenous Women*. Palgrave Macmillan, 2020.
- Matoo, Deepa and 2020. "Sexual Assault Policy Must Better Protect Migrant Women." Policy Options. Accessed August 28, 2021. <https://policyoptions.irpp.org/magazines/february-2020/sexual-assault-policy-must-better-protect-migrant-women/>.
- Maynard, Robyn. *Policing Black Lives*. Canada: Fernwood Publishing, 2017.
- Méndez. "Beyond Nassar: A Transformative Justice and Decolonial Feminist Approach to Campus Sexual Assault." *Frontiers: A Journal of Women Studies* 41, no. 2 (2020): 82. <https://doi.org/10.5250/fronjwomestud.41.2.0082>.
- Nettleback, A, and R Smandych. "Policing Indigenous Peoples on Two Colonial Frontiers: Australia's Mounted Police and Canada's North-West Mounted Police." *Australian & New Zealand Journal of Criminology* 42, no. 2 (2010): 356–75. <https://doi.org/10.1375/acri.43.2.356>.

- Neuman, William L. "The Meanings of Methodology." In *Social Research Methods: Qualitative and Quantitative Approaches*, 90–122. Boston, MA: Pearson, 2006.
- O’Callaghan, Erin, Veronica Shepp, Sarah E. Ullman, and Anne Kirkner. "Navigating Sex and Sexuality After Sexual Assault: A Qualitative Study of Survivors and Informal Support Providers." *The Journal of Sex Research*, no. 8 (October 13, 2019): 1045–57.  
<https://doi.org/10.1080/00224499.2018.1506731>.
- Palmater, Pamela. *Indigenous Nationhood: Empowering Grassroots Citizens*. Nova Scotia, Canada: Fernwood Publishing, 2015.
- Pollack, Shoshana. "'You Can't Have It Both Ways': Punishment and Treatment of Imprisoned Women." *Journal of Progressive Human Services* 20, no. 2 (2009): 112–28.  
<https://doi.org/10.1080/10428230903306344>.
- Razack, Sherene. *Canadian Feminism and the Law*. Canada: Second Story Press, 1991.
- Razack, Sherene. *Race, Space, and the Law*. Toronto, Canada: Between The Lines, 2002.
- "Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls." Gatineau: National Inquiry into Missing and Murdered Indigenous Women and Girls, 2019.
- Reece, Rae. "Carceral Redlining: White Supremacy Is A Weapon Of Mass Incarceration For Indigenous And Black Peoples In Canada." Canada: Yellowhead Institute, June 25, 2020.  
<https://yellowheadinstitute.org/wp-content/uploads/2020/06/carceral-redlining-yellowhead-institute-infographics.pdf>.
- Rich, Karen. "Trauma-Informed Police Responses to Rape Victims." *Journal of Aggression, Maltreatment & Trauma* 28, no. 4 (April 21, 2019): 463–80.  
<https://doi.org/10.1080/10926771.2018.1540448>.
- Richie, Beth E., and Erin Eife. "Black Bodies at the Dangerous Intersection of Gender Violence and Mass Criminalization." *Journal of Aggression, Maltreatment & Trauma* 29, no. 3 (March 11, 2020): 1–12. <https://doi.org/10.1080/10926771.2019.1703063>.
- Saldanha, K., and L. Nybell. "Capturing/Captured by Stories of Marginalized Young People: Direct Scribing and Dialogic Narrative Analysis." *Qualitative Social Work* 16, no. 2 (2017): 206–23.
- Sered, Danielle. "Accounting for Violence: How to Increase Safety and Break Our Failed Reliance on Mass Incarceration." Vera Institute of Justice, February 15, 2017.  
<http://search.proquest.com/docview/1918304438?pq-origsite=summon>.

- A. Sheehy, Elizabeth, and Holly Johnson. "Limits of a Criminal Justice Response: Trends in Police and Court Processing of Sexual Assault." In *Sexual Assault in Canada: Law, Legal Practice and Women's Activism*. Ottawa: University of Ottawa Press / Les Presses de l'Université d'Ottawa, 2012.
- Shepp, Veronica, Erin O'Callaghan, and Sarah E. Ullman. "Interactions with Offenders Post-Assault and Their Impacts on Recovery: A Qualitative Study of Sexual Assault Survivors and Support Providers." *Journal of Aggression, Maltreatment & Trauma*, Violence Against Women Part 1, 29, no. 6 (2020): 725–47. <https://doi.org/10.1080/10926771.2019.1660443>.
- Simpson, Leanne Betasamosake. *Dancing on Our Turtle's Back*. Arbeiter Ring Publishing, 2011.
- Smith, Andrea. 2003. "Not an Indian Tradition: The Sexual Colonization of Native Peoples." *Hypatia* 18 (2): 70–85.
- Stevenson, Kim. "Unequivocal Victims: The Historical Roots of the Mystification of the Female Complainant in Rape Cases." *Feminist Legal Studies* 8, no. 3 (2000): 343–66.
- Terwiel, Anna. "What Is Carceral Feminism?" *Political Theory* 48, no. 4 (August 1, 2020): 421–42. <https://doi.org/10.1177/0090591719889946>.
- Van Der Kolk, Bessel. *The Body Keeps the Score*. United States: Penguin Random House, 2014.
- Venema, Rachel M. "Making Judgments: How Blame Mediates the Influence of Rape Myth Acceptance in Police Response to Sexual Assault." *Journal of Interpersonal Violence* 34, no. 13 (July 1, 2019): 2697–2722. <https://doi.org/10.1177/0886260516662437>.
- Vitale, Alex. *The End of Policing*. New York: Verso, 2018.
- Walcott, Rinaldo. *On Property*. 1st ed. Windsor, Ontario: Biblioasis, 2021.
- Wiegers, Wanda. "Child Placement and the Legal Claims of Foster Caregivers." *University of British Columbia Law Review* 52, no. 2 (2019). [link.gale.com/apps/doc/A597913025/LT?u=rpu\\_main&sid=summon&xid=e1e4dfd0](https://link.gale.com/apps/doc/A597913025/LT?u=rpu_main&sid=summon&xid=e1e4dfd0).
- Weist, Mark D., Linda Kinney, Leslie K. Taylor, Jennifer Pollitt-Hill, Yaphet Bryant, Laura Anthony, and Jennifer Wilkerson. "African American and White Women's Experience of Sexual Assault and Services for Sexual Assault." *Journal of Aggression, Maltreatment & Trauma* 23, no. 9 (2014): 901–16. <https://doi.org/10.1080/10926771.2014.953715>.
- Wolgemuth, Jennifer R. "Analyzing for Critical Resistance in Narrative Research." *Qualitative Research* 4, no. 5 (September 3, 2013): 587–602. <https://doi.org/10.1177/1468794113501685>.
- Woods, Jordan Blair. "Traffic Without the Police." *Stanford Law Review* 73, no. 6 (June 2021). <https://go-gale->

[com.ezproxy.lib.ryerson.ca/ps/i.do?p=LT&u=rpu\\_main&id=GALE|A669807814&v=2.1&it=r&sid=summon](https://com.ezproxy.lib.ryerson.ca/ps/i.do?p=LT&u=rpu_main&id=GALE|A669807814&v=2.1&it=r&sid=summon).

Wriggins, Jennifer. "Rape, Racism, and the Law." In *Rape and Society*, by Patricia Searles, 215–22. edited by Patricia Searles and Ronald J. Berger, 1st ed. Routledge, 2018.  
<https://doi.org/10.4324/9780429493201-26>.