

## Preface

I became interested in institutional responses to sexual violence in 2015 after I reported a sexual assault to the Toronto police and the university where I was a first-year PhD student. My experience fuelled my desire to expose the disconnect between what these institutions publicly say will happen when someone reports sexual violence and what actually happens. This disconnect thrust me into activism, motivated by the naive assumption that these institutions would do better if they were made aware of the gaps in their policies and processes.<sup>1</sup>

Shortly after I went public, I received messages from women who wanted to tell me about their own experiences of reporting sexual violence. Rarely did these stories conclude in a way that the women found empowering. The women often walked away feeling traumatized and betrayed by the institutions they'd entrusted to support them.

In 2017, two of these women's stories took me aback. They were unknown to one another and lived in different provinces, but within several weeks of each other, they disclosed that they'd been sued by the men they'd reported for sexual violence. I asked Toronto-based civil litigator Joanna Birenbaum, who specializes in sexual violence cases, if she was aware of such lawsuits. She was, in fact, representing several women being sued for reporting sexual violence. At the time, I was unaware that this was a possibility. Prior to beginning my advocacy work in 2015, I'd asked an expert in the sector about the possibility of being sued. She assured me that if I'd made a formal report to the police and believed my allegations to be true, I was protected from legal action. This information was only slightly accurate.

A lack of awareness about such lawsuits within the antiviolence movement gave birth to the idea for this book. But on October 29, 2018, my research became personal in a way I didn't anticipate. That morning, I learned from Christie Blatchford's column in the *National Post* that I and approximately twenty others had been named defendants in a lawsuit initiated by author and (now former) University of British Columbia (UBC) professor Steven Galloway. I had not been served or sent a copy of the statement of claim. It wasn't until I logged onto Twitter that I learned what I was being sued for.

It was shocking to be named in a lawsuit, although the legal action itself wasn't unexpected. In November 2015, UBC announced that Galloway had been suspended pending an investigation into "serious allegations." Years earlier, like many women who messaged me during this time, A.B. (the pseudonym given by the court to the woman who reported Galloway) had contacted me for my insights on reporting sexual assaults in university settings. Following our conversation, she made a formal and confidential report to the university, and the university initiated an investigation. Following the investigation, UBC fired Galloway without severance, citing a "breach of trust."<sup>2</sup> An arbitrator decided that UBC's public statements violated Galloway's privacy rights, causing "irreparable reputational damage and financial loss," and awarded him \$167,000 in damages.<sup>3</sup>

On November 14, 2016, more than eighty writers from across Canada – including Margaret Atwood, Madeleine Thien, and Michael Ondaatje – published an open letter on a website titled UBC Accountable and employed the Twitter hashtag #UBCAccountable to show their support for Galloway. They alleged the investigation lacked due process.<sup>4</sup> Atwood also released a statement about why she signed the letter in which she compared the Galloway investigation to the Salem witch trials.<sup>5</sup> This series of events prompted widespread (often hostile) debate on Twitter, to which I contributed. I also wrote an op-ed about Atwood's position.<sup>6</sup>

However, I used caution when tweeting about the case for two reasons. First, A.B. and I had become friends over the years. She never intended for the case to be in the media, so I chose my words carefully to avoid revealing personal information about her. Second, I had learned how easy it is to initiate a defamation lawsuit against an individual, especially if comments are based on second-hand information.

The statement of claim alleged that seven of my tweets defamed Steven Galloway. At the time of writing, the litigation is still before the courts, with no end in sight. Even though the tweets are now part of the public record, accessible to anyone who requests them from the courts, I am unable to replicate what was written because any reproduction of the tweets could make me vulnerable to additional claims of defamation.

I have tried not to let the ongoing lawsuit impact my writing or research, but if I'm being honest, I made the difficult decision to self-censor, not just because of the lawsuit currently against me but out of fear of future legal action from litigious men. I could not survive another lawsuit, financially or emotionally. I share this personal story because I wanted to be transparent about the experiences that shaped my research. At times, I reference the Galloway lawsuit. I want readers to be aware that I have personal insight into the proceedings and a personal interest in how the lawsuit resolves. But this is an academic study, so I have tried to leave myself out of the findings as much as possible to focus on the research participants' narratives and my findings. Readers can interpret the legal action against me and my perspectives in whatever way they see fit.