

SUB-MODULE 2

Total time: 60 min

What complaints and consent are and how to practice risk reduction

PREPARATION

PRE-LESSON INSTRUCTIONS

Review the lesson content and become familiar with the material prior to delivering the lesson.

Photocopy the handout located at Attachment A for each cadet.

PRE-LESSON ASSIGNMENT

Nil.

APPROACH

An interactive lecture was chosen for TPs 1, 4, 5 and 6 to introduce the cadets to what complaints and consent are and how to practice risk reduction.

A group discussion was chosen for TP 2 as an interactive way to reinforce learning by drawing out knowledge from previous training and further provoke thought and stimulate interest among cadets.

An in-class activity was chosen for TP 3 as an interactive way to provoke thought and stimulate interest among cadets.

INTRODUCTION

REVIEW

Nil.

OBJECTIVES

By the end of this lesson the cadet shall be expected to be able to report complaints, define consent and practice risk reduction.

IMPORTANCE

It is important for cadets to learn about what complaints and consent are and how to practice risk reduction as they may be the first person a junior cadet approaches to disclose information to or to ask for help in managing conflict.

TEACHING POINT 1

Introduction

Time: 5 min Method: Interactive Lecture

SUB-MODULE 1: YOUR RESPONSIBILITY AS A LEADER TO INFLUENCE POSITIVE SOCIAL RELATIONS

The following topics were discussed in Sub-Module 1:

- an overview of key leadership concepts,
- techniques to recognize and reward behaviour that exceeds expectations,
- differences between effective discipline and misuse of authority, and
- techniques for responding to behaviour that does not meet expectations.

SUB-MODULE 2: WHAT COMPLAINTS AND CONSENT ARE AND HOW TO PRACTICE RISK REDUCTION

In Sub-Module 2 the following topics will be discussed:

- complaints and how to report them,
- identification of situations that put the leader at risk,
- principles of risk reduction, and
- the issue of consent.

CONFIRMATION OF TEACHING POINT 1

The cadets' participation in the interactive lecture will serve as the confirmation of this TP.

TEACHING POINT 2

Reinforcement / review of Building Positive Social Relations Sub-Module 3

Time: 20 min Method: Group Discussion

REVIEW OF SUB-MODULE 3 (WHAT HARASSMENT, CRIMINAL OFFENCES AND CHILD ABUSE ARE AND WHERE YOU CAN GO FOR HELP)



This TP is a review of what harassment, criminal offences and child abuse are from Building Positive Social Relations Sub-Module 3 (What Harassment, Criminal Offences and Child Abuse Are and Where You Can Go for Help).

Since all cadets have received this training conduct a group discussion to draw out the background information below.

The video scenarios that were used in TP 2 of Building Positive Social Relations Sub-Module 3 can be also be shown and discussed to supplement this TP.

➤ BACKGROUND KNOWLEDGE



The point of the group discussion is to draw the following information from the group using the tips for answering / facilitating discussion and the suggested questions provided.

WHAT IS HARASSMENT?



Refer to the Canadian Human Rights Commission for the complete overview of discrimination and harassment located at <http://www.chrc-ccdp.ca>.

CANADIAN HUMAN RIGHTS ACT (CHRA) DEFINITION OF HARASSMENT

Harassment is any unwanted physical or verbal conduct that offends or humiliates. Such conduct can interfere with one's ability to do a job or obtain a service.

Harassment is a type of discrimination. It can take many forms, such as:

- threats, intimidation, or verbal harassment;
- unwelcome remarks or jokes about subjects like race, religion, disability or age;
- displaying sexist, racist or other offensive pictures or posters;
- sexually suggestive remarks or gestures;
- inappropriate physical contact, such as touching, patting, pinching or punching; and
- physical assault, including sexual assault.

Harassment can consist of a single incident or several incidents over a period of time. Harassment can create a negative or hostile environment which can interfere with job performance and result in being refused a job, a promotion or a training opportunity. **Harassment will be considered to have taken place if a reasonable person ought to have known that the behaviour was unwelcome.**

CADET ADMINISTRATIVE AND TRAINING ORDERS (CATO) DEFINITION OF HARASSMENT

Harassment is any improper conduct by an individual that is directed at and offensive to another person or persons in the workplace and which the individual knew or ought reasonably to have known would cause offence or harm. It comprises any objectionable act, comment or display that demeans, belittles or causes personal humiliation or embarrassment or any act of intimidation or threat. It includes harassment within the meaning of the *Canadian Human Rights Act*.



Refer to CATO 13-24, *Harassment Prevention and Resolution*, for the complete reference to all pertinent definitions on harassment.

Where harassment involves misuse of the power or authority inherent in an individual's position, it constitutes a misuse of authority. Conduct involving the proper exercise of responsibilities or authority related to the provision of advice, the assignment of work, counselling, performance evaluation, discipline and other supervisory / leadership functions **does not** constitute harassment. Similarly, the proper exercise of responsibilities or authority related to situations where, by virtue of law, military rank, civilian classification or appointment, an individual has authority or power over another individual does not constitute harassment.

When looking at misuse of authority in relation to discipline, a misuse of authority:

- is not related to the misbehaviour;
- attacks self-esteem;
- humiliates;
- is impulsive;
- is more severe than warranted;
- uses force;
- means adults take responsibility for youth's action;
- is based on control over others;
- assumes only adults can solve youth's problems;
- demonstrates hostility; and
- destroys.

Where harassment involves the coerced participation, expressed or implied, in improper initiation rites, ceremonies or other events, it constitutes hazing.

Hazing. To be subject to ridicule. Hazing is often ritualistic with requirements to perform random and meaningless tasks as a way of initiation into a group. It is often used as a method to promote group loyalty and camaraderie through shared suffering. It can be any activity expected of someone becoming part of a group that humiliates, degrades or risks emotional and / or physical harm, regardless of the person's willingness to participate.

The difference between normal behaviour and sexual harassment is consent. If someone is indicating by word or by body language that your behaviour is unwelcome this means stop. No means no.

Bullying. Bullying is another form of harassment and can take on many forms other than face-to-face contact and includes cyber-bullying, to include:

- email,
- instant messaging (IM),
- chat rooms,
- text messages, to include:
 - Short Message Service (SMS),
 - Enhanced Messaging Service (EMS), and
 - Multimedia Messaging Service (MMS); and



Refer to CATO 13-29, *Administrative Procedures–Social Issues*, for the complete administrative guide for situations where a cadet or an adult supervisor is facing social issues.



Consent. The voluntary agreement of the person to engage in the sexual activity in question.



Bully. A person who uses strength or power to coerce others by fear. Persecute or oppress by force or threats. Pressure or coerce (a person) to do something.



Physical

characteristics.

Although physical characteristics is not included in the CHRA definition of discrimination it is essential to stress to cadets that discriminating against or harassing others because of physical characteristics (eg, height, weight, physical differences) is inappropriate and unacceptable.

- websites, to include:
 - social networking websites,
 - voting / polling booths (online voting / polling), and
 - posting messages / pictures / videos.

DISCRIMINATION

Every individual is equal before and under the law and has the right to equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age, marital status, family status, mental or physical disability, pardoned conviction or sexual orientation.

WHAT ARE CRIMINAL OFFENCES?

Offences commonly associated with criminal harassment incidents include uttering threats, threatening or harassing phone calls, common assault, mischief and most recently stalking and cyberstalking via chat rooms, message boards, and email.



Assault. Force is applied intentionally to another person, directly or indirectly. Attempts or threatens, by act or a gesture, to apply force to another person.

Stalking. A form of obsessive behaviour directed, most often, toward another person.

Cyberstalking. Also known as online harassment, is closely related to real-life stalking.

People who commit any of these offences can be charged under the criminal harassment provision of the *Criminal Code of Canada*.

WHAT IS CHILD ABUSE?



Child abuse is something a cadet could experience and / or encounter outside the Cadet Program. Therefore, this TP is simply intended to provide all cadets with a basic awareness of the topic and TP.

Child abuse. A situation in which a child is in need of protection when their safety or their development is compromised.

Forms of child abuse fall into four categories, to include:

1. **Emotional abuse.** A chronic attack on a child's self-esteem. It is psychologically destructive behaviour by a person in a position of power, authority or trust. It can take the form of name-calling, threatening, ridiculing, belittling, intimidating, isolating, hazing or ignoring the child's needs. Serious emotional abuse can consist of:

- **Rejecting.** To refuse to acknowledge, believe, hear or support the child's / youth's worth, or the legitimacy of his or her needs;
 - **Isolating or excluding.** Unreasonable separation from others to cut a child / youth off from normal social experiences, which results in extreme aloneness;
 - **Ignoring.** To fail to provide sensitive, responsive care-giving; to deprive children / youth of essential stimulation and responsiveness; to interact only when necessary; to be psychologically unavailable;
 - **Exploiting.** To make use of someone for one's own advantage or profit; to make excessive inappropriate demands considering the child's age;
 - **Confining.** Forcible isolation in an enclosed space;
 - **Terrorizing.** To coerce by intimidation, causing a state or instance of extreme fear, violent dread or fright. Children can be terrorized through observing or being threatened by violence; and
 - **Corrupting.** To render anti-social or maladjusted; to change from good to bad; to encourage destructive, anti-social behaviour. For example, encouraging children to physically assault another child;
2. **Physical abuse.** Occurs when a parent, a legal guardian or any other person injures or threatens to injure a child;
 3. **Sexual abuse.** Occurs when a parent, a legal guardian or any other person uses a child for sexual gratification; and
 4. **Neglect.** Is chronic inattention to the basic necessities of life such as clothing, shelter, nutritious diet, education, good hygiene, supervision, medical and dental care, adequate rest, safe environment, moral guidance and discipline, exercise and fresh air.



Refer to CATO 13-24, *Harassment Prevention and Resolution*, and / or CATO 13-25 *Cadet Conflict Management System* for the complete details pertaining to self-help.

WHERE YOU CAN GO FOR HELP AND WHEN YOU SHOULD GO FOR HELP

SELF-HELP

Self-help may be used to resolve a conflict at the lowest level. Individuals who believe harassment has occurred are strongly encouraged to take direct action by communicating with the perceived respondent as soon as possible by:

- voicing issues or concerns in a respectful manner and allowing the other person to do the same;
- allowing the parties to clarify the issues and concerns to gain a better understanding of each other; and
- allowing the parties to identify possible solutions and to decide on a mutually agreeable resolution.

If the conduct does not stop, or if the complainant does not wish to use the self-help method, they may notify their immediate supervisor, the UCCMA or higher authority if the supervisor is the respondent.



Respondent. Is the individual against whom an allegation of harassment has been made.

Complainant. Is an individual alleging that an incident of harassment may have occurred.

If self-help is unsuccessful or inappropriate, then supervisor intervention may be considered.

RESOURCES AVAILABLE

In addition to self-help and trying to manage conflict on your own, there are a number of resources available that include:

- a senior cadet or staff cadet,
- a trusted adult (parent / guardian, officer, civilian instructor [CI], etc),
- Unit Cadet Conflict Management Advisor (UCCMA),
- the corps / squadron CO, or
- Kids Help Phone (1-800-668-6868) or website (www.kidshelpphone.ca).



The Kids Help Phone and related website are a tremendous resource for youth.

It is Canada's only toll-free, national, bilingual, phone and web counselling, referral and information service for children and youth. They provide immediate anonymous and confidential support, 24 hours a day, 365 days a year.

The Kids Help Phone is staffed by trained professional counsellors with a wide variety of backgrounds including social work, psychology, sociology, and child and youth services.

The Kids Help Phone helped Canadian youth in need more than two million times on the phone and online in 2007.



CADET RESPONSIBILITIES AND RIGHTS

Responsibilities. As a cadet you have the responsibility to:

- treat others with respect,
- not exclude anyone,
- help protect others,
- respect personal boundaries; honour "NOs",
- tell the truth,
- listen,
- not dominate others,
- not misuse power / authority,
- control anger,
- not harass anyone,

- not abuse anyone, and
- get help if I need it.

Rights. As a cadet you have the right to:

- be treated fairly and with respect,
- belong,
- feel safe,
- be included,
- learn,
- seek help,
- be heard,
- make decisions,
- be protected from harassment, criminal offences and child abuse,
- use the law, and
- say “NO” to unwelcome behaviour.

Fairholm, Canadian Red Cross



➤ GROUP DISCUSSION

TIPS FOR ANSWERING / FACILITATING DISCUSSION:

- Establish ground rules for discussion, eg, everyone should listen respectfully; don't interrupt; only one person speaks at a time; no one's ideas should be made fun of; you can disagree with ideas but not with the person; try to understand others as much as you hope they understand you; etc.
- Sit the group in a circle, making sure all cadets can be seen by everyone else.
- Ask questions that will provoke thought; in other words avoid questions with yes or no answers.
- Manage time by ensuring the cadets stay on topic.
- Listen and respond in a way that indicates you have heard and understood the cadet. This can be done by paraphrasing their ideas.
- Give the cadets time to respond to your questions.
- Ensure every cadet has an opportunity to participate. One option is to go around the group and have each cadet answer the question with a short answer. Cadets must also have the option to pass if they wish.
- Additional questions should be prepared ahead of time.





Other questions and answers will develop throughout the group discussion. The group discussion should not be limited to only those suggested.



Reinforce those answers given and comments made during the group discussion, ensuring the teaching point has been covered.

SUGGESTED QUESTIONS:

- Q1. What is harassment?
- Q2. What are some examples of harassment?
- Q3. What are criminal offences?
- Q4. What is child abuse?
- Q5. Where can a cadet go for help when needed?

CONFIRMATION OF TEACHING POINT 2

The cadets' participation in the group discussion will serve as the confirmation of this TP.

TEACHING POINT 3

Complaints and how to deal with them

Time: 15 min Method: In-Class Activity

DEALING WITH COMPLAINTS

Complaints can be about:

- harassment that happens to a cadet while at a cadet activity, or
- harassment or child abuse that is happening to a cadet outside cadet activities.

Complaints can be reported:

- **Non-verbally.** Someone notices unusual behaviour; or
- **Verbally.** The victim tells someone because they want help and they trust that person.

COMPLAINT CHECKLIST

- **Listen and believe.** The cadet has chosen you to talk to; they trust you.
- **Do not ask leading questions or conduct an interview.** Questioning / interviewing using closed questions, may prejudice any future investigation, eg, "Did he threaten you?" If you need further facts, use open-ended questions to get them, eg, "What did he say then?"
- **Do not promise not to tell.** If a cadet is a victim of child abuse, by law you must tell the authorities (Child Protection Agency [CPA]). Do not talk about the incident to anyone other than the proper authorities. Respect the privacy of both the victim and the alleged offender.

- **Reassure and affirm.** You have done the right thing by telling me. Telling takes courage. The harassment or child abuse is not your fault. Acknowledge the person's feelings.
- **Do not try to be a counsellor.** Counselling for victims of child abuse should be done by qualified and authorized professional counsellors. Do not try to help cadets by counselling them.
- **Describe the next steps (reporting and safety plan).** In cases of harassment, consult **ANY** adult staff member (eg, Trg O, CO, UCCMA) and develop options with the cadet as to how you can ensure their safety. In the cases of criminal offences, tell the cadet that the CO will report the incident to the local authorities who will take appropriate action. In cases of child abuse, tell the cadet that the CO will report the incident to the local CPA, and the CPA will advise on how to ensure the cadet's safety.
- **Document.** If requested by the adult staff member you may need to contribute to the completion of an Incident Report.
- **Do not confront the alleged offender.** Confrontation could lead to serious consequences and is best left to the proper authorities.
- **Take care of yourself.** Disclosures are emotionally difficult; seek support for yourself while maintaining confidentiality.

VIDEO SCENARIO 17 / HARASSMENT COMPLAINT

Discrimination / Name Calling

Time: **3 min** Method: **Video**

OBJECTIVE

The objective of this video is to show the cadets what a harassment complaint looks like and how to collect and report this information to the appropriate people.

SETTING

Local corps.

SITUATION

HARASSMENT COMPLAINT: DISCRIMINATION / NAME CALLING

A junior cadet approaches a senior cadet that he trusts and complains to him that he has been having a really stressful time at cadets. He is continually being picked on



Conduct this activity after the cadets have watched Clip #1.

and being called names by the senior cadets supervising his platoon. They keep calling him names like “Aladdin” and “genie” because of his turban in accordance with his religion. He is considering quitting cadets because he is really getting tired of being picked on and being called names. He thinks he has just as much right to be there as the next person. He does not want anyone to get into trouble and he is not tattling—he just wants it to stop.

► ACTIVITY

Time: 10 min

OBJECTIVE

The objective of this activity is to have the cadets practice the *Complaints Checklist* by role playing.

RESOURCES

The *Complaints Checklist* located at Attachment A.

ACTIVITY LAYOUT

Nil.

ACTIVITY INSTRUCTIONS

1. Divide the cadets into pairs.
2. Distribute a copy of the *Complaints Checklist* to each cadet.
3. Have the cadets choose the part they wish to role play in each pair.
4. Have the cadets role play through the steps of the *Complaints Checklist* for five minutes.
5. Conduct a group discussion when the cadets have completed the activity. Use the following questions:
 - What is this scenario a form of?
 - What did you find difficult about the process?
 - Do you think this would be different than doing it in “real life”?
 - Did all the steps in the *Complaints Checklist* apply to this situation?
 - The last step of the *Complaints Checklist* is to “Take care of yourself”. What does this mean? How would you do this?

SAFETY

Nil.



This scenario is intended to depict a form of discrimination. The cadet is being discriminated against because of his looks and his Sikh religion. This scenario depicts that people in positions of power, authority or trust have misused their power by using destructive behaviour; chronically attacking the self-esteem of an individual by using insults and put-downs.

CONCLUSION

HARASSMENT COMPLAINT: DISCRIMINATION / NAME CALLING

The senior cadet listens and believes what the junior cadet is telling him. The senior cadet asks the junior cadet if they are just picking on him or if the situation has become more than that (eg, pushing, shoving). The senior cadet tells the junior cadet that he cannot promise not to tell anyone as this situation is really important and he believes that things could get better when they talk to an adult staff member. The senior cadet tells the junior cadet that he will even go to the adult staff member with him and support him as much as he can. The senior cadet reassures the cadet and tells him that he is really brave for telling him this. It takes a lot of courage to disclose this information. The senior cadet describes to the junior cadet the next step (going to the adult staff member immediately). They both go to the adult staff member and tell him the situation. (Time lapse.) The adult staff member investigates the situation and determines that the harassment complaint is valid and takes appropriate action. The adult staff member also commends the senior cadet on how the harassment complaint was handled.

CONFIRMATION OF TEACHING POINT 3

The cadets' participation in the role play activity will serve as the confirmation of this TP.

TEACHING POINT 4

Principles of risk reduction

Time: 5 min Method: Interactive Lecture

RISK REDUCTION: PROTECTING YOURSELF

As leaders, it is important for you to avoid situations with cadets in which you may be vulnerable or compromised. A misinterpretation of your actions or behaviours may lead to false accusations.

Guiding Principles of Risk Reduction

The guiding principles of risk reduction in the Cadet Program for managing the potential for false accusations include the following techniques:

- never being alone with a cadet, having another cadet, staff cadet or officer with you;
- keeping in sight of others;
- touching should be avoided; if you have to touch, ask the cadet if it is okay first and restrict touching to “safe” areas of the body;
- respecting the dignity of all Cadet Program members;

- avoiding contact or conduct that may be interpreted to have sexual connotations; and
- ensuring cadets are supervised at all times.

CONFIRMATION OF TEACHING POINT 4

The cadets' participation in the interactive lecture will serve as the confirmation of this TP.

TEACHING POINT 5

Issue of consent

Time: 10 min Method: Interactive Lecture

Consent. The voluntary agreement of the person to engage in sexual activity.

The age of consent for sexual activity in Canada is 16.



On February 28, 2008 the age of consent bill (Bill C-2) was amended in the Criminal Code of Canada and this law came into effect on May 1, 2008. Age of consent was changed from 14 to 16. The bill had not been touched for 116 years.

The Criminal Code contains a “close-in-age” exemption of less than five years.

Under the new law, anyone under age 16 cannot legally consent to any form of sexual activity, from kissing to intercourse.

Consent has not been obtained when:

- a person is incapable of consent (eg, intoxicated);
- it comes from a third party;
- a person engages in a sexual activity with an individual who has abused a position of trust, power or authority;
- the person expressed in words or conduct a lack of agreement (eg, saying “no”); and
- the person revoked agreement—changed their mind.

Under the law, consent cannot be given when:

- one person is under 16 and the other is more than five years older;
- both people are under 16 with less than five years between them, but the older person is in a position of trust (eg, babysitter);
- one person is 16–17 and the older person is in a position of trust or authority;
- one person submits because the other threatens or uses force;
- one person submits because the other threatens or uses force against a third person; or
- lies are used to obtain consensual sex.

Examples when consent **cannot** be given:

- a cadet consenting to an adult supervisor, or
- a cadet consenting to a staff cadet.

There is no age of consent when a person in a position of authority engages in sexual activity with a person under their care.



Consent is:

- active not passive: words and body language both say “yes”;
- based on choice: both have power to say “no”;
- not manipulated: no pleading, no guilty feelings;
- not coerced: no imbalance of power;
- not submission due to fear: no threats; and
- freely given: it is an individual’s choice.

CONFIRMATION OF TEACHING POINT 5

The cadets’ participation in the interactive lecture will serve as the confirmation of this TP.

TEACHING POINT 6

Conclusion

Time: 5 min Method: Interactive Lecture

Throughout this Sub-Module you have been made aware of what disclosure and consent are and how to practice risk reduction to reduce the potential of false accusations.

SUB-MODULE 3: YOUR RESPONSIBILITY AS A LEADER TO HELP MANAGE CONFLICT

The following topics will be discussed in Sub-Module 3:

- review / reinforcement of Building Positive Social Relations Sub-Module 4, and
- conflict management techniques.

CONFIRMATION OF TEACHING POINT 6

The cadets’ participation in the interactive lecture will serve as the confirmation of this TP.

END OF LESSON CONFIRMATION

The cadets’ participation in the role play activity in TP 3 will serve as the confirmation of this lesson.

CONCLUSION

HOMEWORK / READING / PRACTICE

Nil.

METHOD OF EVALUATION

Nil.

CLOSING STATEMENT

It is important for you to learn about what disclosure and consent are and how to practice risk reduction as you may be the first person a junior cadet approaches to disclose information to or to ask for help in managing conflict.

INSTRUCTOR NOTES / REMARKS

Nil.

REFERENCES

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