

JOINT COMMUNITY STATEMENT

THE GHOMESHI NON-GUILTY VERDICT

As of March 24th, we must ask ourselves: Was justice served in the Ghomeshi case? Or, as many are pointing out on Twitter: Is the system broken, or was it built this way?

Judge Horkins showed us a system that tells survivors the court system will doubt and disbelieve them. It will shame, blame them, and “whack them” until their voices are silenced. Most importantly, this outcome tells survivors of violence that there is only one “right” way to behave after an assault.

We must stop putting survivors on trial in sexual assault cases. As Judge Horkins put it today, “[This verdict] is not the same as deciding in any positive way that these events never happened. However, the bedrock foundation of the Crown’s case is tainted and incapable of supporting any clear determination of the truth.” Yes, “beyond a reasonable doubt” is an important tenet of our justice system, however, we need to more closely examine what we deem to be creating doubt. The judge cited emails, letters, behaviour, dates that came after an assault that made him question whether the women truly “felt” assaulted— but who are we to define what is “right” behaviour after an assault?

Today, rape myths were perpetuated and considered in evidence. Judge Horkins, in his final verdict statement, perpetuated rape myths and kept the survivors on trial. He insinuated the women were lying because they were jilted ex-girlfriends, or colluding to bring down a powerful man. Our system should work so the behaviour of survivors is not on trial; the violent behaviour of a perpetrator is.

Police interviews are where the “Perfect Victim” myth begins. If a woman remembers every detail of the assault, she is discredited using the exactness of those details if her story shifts even slightly over the (usually many) months between reporting and trial. If she doesn’t say every detail, she is discredited for bringing up “new” information in court. Expert witnesses can be called forward to demonstrate the complexity of how trauma impacts a survivor’s memory and behaviour, and yet, in the Ghomeshi case, no trauma expert in sexual violence was called. Sexual assault is a social problem impacting women at epidemic levels. The need is urgent. Women have now eclipsed men as being more likely to be victimized by violent crime as rates of sexual assault remain the same, while all other forms have decreased. This is unheard of. We must demand change around our social and legal systems that reinforce rape myths, myths like women lie about their assaults to “get back at” men.

We must believe women when they come forward to discuss their abuse. We saw a significant shift in public understanding of and compassion for survivors of sexual violence at the beginning of this case. Women were believed. Optimism started to grow in the dark corners of our society, and there was a feeling that accountability would finally become a reality. It took

numerous women to come forward before we got to this point, but we got there. And then, it was lost.

We are at a critical juncture, Canada. Let's make sure our system continues from this point on to hold perpetrators to account. Let's create a survivor-centric system.

We can do better. It's time.

If today, you wish to support survivors who are experiencing re-traumatization following the not-guilty verdict, we urge you to donate to one of (or all three!) the amazing, (under-funded) local organizations: the Ottawa Rape Crisis Centre, the Sexual Assault Support Centre of Ottawa or CALACS francophone d'Ottawa. These organizations work tirelessly in supporting survivors of sexual assault.

In solidarity with all survivors,

Ottawa Coalition to End Violence Against Women
Sexual Assault Support Centre
Ottawa Rape Crisis Centre
Sexual Assault Network