



Information Sheet for Police-Based Victim Assistance Programs Third Party Reporting

Rural Sex Trade *The Vancouver Sun*, Fri 03 Nov 2006

“The victims in the cases had specific histories of trauma, addictions, oppression, racism and a fear of not being believed...It was extremely time-consuming and challenging to find one victim who was willing to give a statement to the police.”

We are pleased to announce that a provincial protocol has been developed regarding third party reporting in sexual offence cases. This protocol includes both RCMP and municipal police and is intended for survivors who are 19 years of age and older.

This protocol will be rolled out in September of 2008 and will make third party reporting accessible through Community-Based Victim Assistance Programs throughout B.C.

BACKGROUND:

For the general population, sexual assault is among the most under-reported crime in Canada, with only 8% of sexual assaults reported to police (Stats Canada 2003). For some groups of women, particularly those with fears and concerns about the justice system, the numbers are even lower. These victims are least likely to report to police

For many years, communities throughout BC have attempted to address the fact that very few victims of sexual assault report to the police, particularly those from communities such as Aboriginal women, new immigrants and women in the sex trade. In communities such as Vancouver, Victoria, Kamloops and Prince George, agreements have been developed between local police detachments and Community-Based Victim Service programs or Sexual Assault Services whereby the local community-based program provides third party information from victims to police.

WHAT IS A THIRD-PARTY REPORT?

A Third Party Report is a process whereby a victim of sexual offence can give information about the assault to police anonymously, through a third party. In collaboration with police a process has been developed whereby a community agency that specializes in responding to sexual assault accepts information from a victim about a sexual assault and passes that information on to the police without disclosing the identity of the victim.

This “Third Party Report” can be an option for victims who would not otherwise provide information to the police. Once the report is made, it enables the police to review the information, look for and evaluate trends, create a profile of the assailant, and/or take other actions such as instituting patrols in the area. Third Party Reporting also involves a process whereby police can contact the agency if they would like to follow up with the victim. For example, if other victims have come forward with similar reports that suggest a serial offender, the police may ask the agency to find out whether the victim who made the Third Party Report might be willing to talk to an investigator. The decision to engage with police rests with the victim.

THIRD PARTY REPORTING; ROLES AND RESPONSIBILITIES:

As of June 2008 only Community-Based Victim Assistance program workers have the mandate to facilitate clients to fill out TPR's. A client who fits the criteria for a TPR should be referred to the nearest CBVA program. Unfortunately, at this time we are unable to provide this service locally to communities without CBVA programs.

Contact information for the closest CBVA program is available on the Victim Service Division website at:

http://www.pssg.gov.bc.ca/victim_services/directory/index.htm

TPR Criteria:

- The Third Party Reporting option is available to survivors of sexual assault, either recent or historical.
- The survivor must be 19 years of age or older in order to complete the report. (If the survivor was under 19 at the time of the assault, they would still be able to report via TPR as an adult).
- All other options need to be explored with the survivor, as well as the reasons for reluctance to engage in a full report. With support the survivor may choose to make a full report to police.
- The survivor must be informed that TPR is not the optimal way to make a police report. Because of the second-hand nature of the information, and the time delay, valuable evidence can be lost. If there is an expectation of

an investigation and/or charges, the survivor should be supported in making a full police report through regular channels.

- The worker should refer to their agency's policies and guidelines in determining whether the client's situation requires the need for immediate intervention; examples include when someone is a danger to self or others or a child is at risk. Third party reporting should not be used when a victim, or anyone else, is in immediate danger.

Role of Police-Based Victim Service Program:

- The third party report is the option of last resort. It is intended to be used with survivors who would otherwise not report to police. It is also intended for survivors 19 years of age or older.
- Police-based victim services programs are not able to keep a victim's personal and contact information confidential, as policy indicates that police are able to request access to police victim service program client files. As well, police-based victim services programs work under disclosure policy, and would be bound by that policy to disclose to police any crime that occurred so the police could best assess how to proceed.
- As such, the police-based victim services programs are not able to assist victims in completing TPRs, since they cannot guarantee confidentiality and non-disclosure.
- If an adult victim of a sexual offence attends or contacts a police-based victim services program, and requests to complete a TPR, the police-based victim services program will provide the victim with information about the TPR process, and will refer the victim to the nearest community-based victim assistance agency.
- The victim should be referred to the Stopping the Violence Counsellor, where they exist, for ongoing counselling.

Role of Community-Based Victim Service Program:

- When a victim discloses a sexual assault to a Community-Based Victim Service program the community-based victim service worker will meet with the survivor with a focus on providing information and support. The process for making a police report will be discussed and options for reporting outlined.
- One TPR has been assessed as appropriate; the client will be given the TPR form to fill out with the information that s/he is comfortable in providing.
- Once completed, the coversheet with the survivor's identifying information is removed and stored by the community agency. The TPR form (with the file number and community agency contact information) is forwarded to the nearest designated police agency without information that would identify the victim.

Role of Police:

- The designated officer will review the report. The information is used to evaluate trends and look for commonalities between this sexual assault and other reports. Based on the amount and quality of information gathered, a preliminary investigation will be undertaken ensuring that the identity of the victim is not jeopardized through any inquiries conducted.
- The preliminary investigation will be followed by an assessment of whether there is interest in interviewing the victim to gather more information.
- If there is a need/interest to interview the victim further, the police will contact the community-based victim service worker to follow up.
- The community-based victim service worker will contact the victim and forward the police request to meet with her. If permission is given, the worker will arrange a meeting or give the victim's contact information to the investigating officer. The decision to give a full report rests with the victim.

REFERENCES:

Currie, Sue et al. *Assessing the Violence Against Street Involved Women in the Downtown Eastside/Strathcona Community*. Vancouver, BC: Ministry of Women's Equality, Downtown Eastside Youth Activities Society (DEYAS), and Watari Research Society, 1995.

Miller, J. and Schwartz, M.D. (1995) "Rape Myths and Violence Against Street Prostitutes." *Deviant Behavior: An Interdisciplinary Journal*. 16:1, 1-23.

Statistics Canada. "Sexual Offences in Canada." *Juristat* 85-002, Vol. 23, no. 6. 2003

Vancouver Women Against Violence Against Women Sexual Assault Centre.
Third Party Reporting Form 2006

CONTACT US

Regional Coordinators

Michelle Novakowski, CCWS, 250-862-2887 micheno@telus.net

Tracy Porteous, E.D. BCASVACP, 604-633-2506 porteous@endingviolence.org

Website

www.endingviolence.org, click on Community Coordination for Women's Safety