

Report to the Halton Regional Police Services Board: Ensuring Optimal Victim Support in Sexual Assault Investigations: Survivor Input

November 2017

Julie Moscato, on behalf of the Sexual Assault Advisory Committee*

Introduction

The Halton Regional Police Services Board passed a resolution at its February 23, 2017 meeting that the Board undertake a review of how sexual assault cases are handled by the Halton Regional Police Service, including policies and procedures and the classification of sexual assault occurrences. The resolution further set out that the Board undertake this work in collaboration with local community and justice partners. The ultimate goal of the review is to ensure victims of sexual assault are provided a timely and dignified response, the best support possible from the police service, and that the process is comprehensive, fair and respectful.

The Sexual Assault Case Handling Review Team completed its review and made five recommendations to the Board in June 2017. The recommendations and their status are listed below:

1. The Halton Regional Police Services Board should host a sexual assault learning forum for police and victim advocates to include information on the Philadelphia model, Ontario advocate case reviews, rape myths, gender bias and trauma-informed policing.

This learning forum was held June 21, 2017.

2. The Halton Regional Police Services Board should work with the Halton Regional Police Service to establish a Sexual Assault Advisory Committee.

*This committee has been established and the terms of reference for it are being finalized.
This committee now replaces the former Sexual Assault Case Handling Review Team.*

3. The Halton Regional Police Services Board should consider adopting a victim advocate case review in the handling of sexual assault cases.

Details and membership for case review are under development.

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4. The Halton Regional Police Services Board should monitor outcomes of the Police Information and Statistics Committee relating to current clearance categories offered through the Uniform Crime Reporting Survey to determine any impact for the Halton Regional Police Service.

This is being monitored.

5. The Halton Regional Police Services Board should amend its policy on sexual assault investigations to confirm the Board's expectations that:
 - regular, ongoing training and skills development is provided to address rape myths and gender bias in sexual assault investigations, and on trauma-informed service provision;
 - training should include hands-on learning opportunities, as well as training delivered by external experts, including victim advocates, and mandatory training;
 - appropriate accountability mechanisms remain in place for classification of cases as unfounded;
 - investigations be undertaken with an emphasis on the provision of optimal support in accordance with the Victims' Bill of Rights.

This was completed July 27, 2017.

The June report to the Board identified that collaboration amongst Sexual Assault Case Handling Review Team members is in the interests of optimal service provision for victims of sexual assault and will be ongoing and ever-evolving with time and research. The report stated the intent of the Sexual Assault Case Handling Review Team to submit a supplementary report to the Halton Regional Police Services Board by the end of the fall 2017 that captures the input of sexual assault survivors. The input of sexual assault survivors is crucial to the work of the Sexual Assault Advisory Committee going forward.

Process for Gathering Survivor Input

In June 2017, a news release was sent out identifying that the Halton Regional Police Services Board would be interested in receiving survivor feedback on experiences reporting sexual assault incidents to the Halton Regional Police Service. This news release received some local media attention and was circulated by members of the Sexual Assault Case Handling Review Team. Survivors were asked to provide responses to one of the following questions:

1. If you are a survivor of sexual assault and reported the crime to the Halton Regional Police Service, what was your experience?
2. If you are a survivor of sexual assault and chose not to report the incident to the Halton Regional Police Service, what were the reasons why?

In total, there were 5 email submissions, 15 online submissions, and 9 telephone or in-person meetings. Some of the feedback received was positive and some was negative. Unless specifically identified in email or online submissions, there was no way to determine whether feedback received was for recent or historical cases. Some of the information provided during in-person meetings was clearly identified as recent. New questions will be added to the Board website to allow individuals to indicate a time frame during which the event occurred, should they so choose, and to allow the review team to understand whether issues are current and continuing to occur.

Note: This report reflects the feedback received from community members who voluntarily came forward to share their experiences. No self-identified individuals from marginalized communities came forward (e.g, immigrant refugees, LGBTQ+-identified, Aboriginal and other).

Feedback Regarding the Halton Regional Police Service's Handling of Sexual Assault Cases

- "The police were excellent; the police took it seriously and handled it well"
- The responding officers came by days after to the survivor's house when they were in the neighbourhood and said they were thinking of her; in this case, feedback was provided that the Detective was a great person
- The CASA unit was helpful; the person reporting the sexual assault was happy with the sexual assault investigation in this case
- The officer that the person dealt with was "very caring and compassionate", "she was able to guide me through the process as easily and thoroughly as possible with ease", "this was a very traumatic experience, but with her support and guidance I was able to move forward with criminal charges and a court hearing strong and empowered"
- "LOVED IT!!!! It got me out of that situation, made me feel a lot better, AND it got me in touch with an officer who got an award for 20 years exemplary service, who I've been in touch with ever since"

Key Themes/Areas Requiring Attention

The Sexual Assault Advisory Committee reviewed survivor feedback together as a group, discussing and categorizing themes. Key areas requiring attention include the following, as identified by sexual assault survivors:

1. **Survivors are not feeling believed and are being asked questions/receiving comments that suggest officers do not believe them;**
 - “The officer, a female, asked me what happened. I told her. Everything seemed routine but many of her questions seemed demeaning and exactly what I was afraid of. “Did you verbally say no or stop?” “Did they hurt you or leave any marks to show you were forced?” “Were you drinking or using drugs?” “If you didn’t say no, is it possible they thought you consented?”
 - “To assume the worst of a victim is not how these cases should be led, but it definitely feels like that is how it is happening”
 - The officer said “It’s Christmas time and you’re single... suggestion was that I would simply be happy to get anyone”

2. **Sexual assault survivors could be shown more sensitivity by officers, who could take a softer approach and have more open communication with survivors about what will happen next in their cases so they feel more informed;**
 - “The officer at the hospital was cold and rude”
 - “I wish there was more communication with the victim and family”
 - Police escorted a man out of the police station and said “You can’t accuse people of sexual assault. How would you like it if people did that to you?”

3. **Survivors are being asked questions by officers that appear blaming, including questions/comments around whether she/he was drinking;**
 - The officer “told me it was okay to regret drunk sex”
 - “They told me because I was drunk and over the age of 16 that it gave consent for people to rape me”

4. **Survivors are feeling shocked with their experience reporting to the police and the response they were provided, which was less supportive than they thought it would be;**
 - “That opened my eyes to make me realize that they didn’t care about my case at all; it’s just another small part of their day”
 - “My experience with the Milton police was honestly so heart breaking”
5. **It is possible that survivors are not always being given referrals to where they need to be.**
 - There was a noticeable absence of any comments from survivors about referrals afterward to victim services and other support agencies.

Moving Forward

In response to this feedback, the following is being undertaken:

- The Halton Regional Police Service has instituted additional training over and above current mandatory training for officers of the Child Abuse and Sexual Assault Unit on the psychobiology of trauma and the effects on sexual assault survivors with Dr. Lori Haskell, an expert in the area
- The Board’s policy on sexual assault investigations has been revised to reflect the requirement that the Chief of Police provide regular, ongoing training and skills development for Officers and other appropriate members on the response to sexual assault occurrences that address victims’ assistance, rape myths and gender bias in sexual assault investigations and trauma-informed service provision and that should include hands-on learning opportunities, as well as training delivered by external experts, including victim advocates, and mandatory training, when appropriate.
- General, non-identifying information has been shared with the Sexual Assault Advisory Committee to assist in developing strategies and recommendations to improve the Halton Regional Police Service response to survivors of sexual assault.
- An Information Guide for Victims/Survivors of Sexual Assault is in the final stages of development. The Guide is intended to provide support, resource and referral information for sexual assault survivors prior to meeting with an officer and providing disclosure. This provides survivors the opportunity to reflect on the process and make decisions in a well-informed manner.

*The following are members of the Sexual Assault Advisory Committee: Alma Arguello (Sexual Assault & Violence Intervention Services of Halton), Martha Barragan (The Women's Centre of Halton), Diane Beaulieu (Halton Women's Place), Jane Bottomley (Nina's Place), Rebecca Burrows (Sexual Assault & Violence Intervention Services of Halton), Kimberley Clark (Victim Services Unit, Halton Regional Police Service), Ancilla Ho-Young (Advancement of Women Halton), Monica Mackenzie (Ministry of the Attorney General), Julie Moscato (Executive Director, Halton Regional Police Services Board), Inspector Anthony Odoardi (Halton Regional Police Service), Carol Oosting (Thrive Counselling), Tricia Porter (Halton Violence Prevention Council), Darina Vasek (Nina's Place), Chondrena Vieira-Martin (Thrive Counselling & Halton Violence Prevention Council).