



## **Third Party Reporting Guidebook: Increasing Reporting Options for Sexual Assault Survivors**

*This Guidebook is an adaptation of the Third Party Reporting Guidebook: Increasing Reporting Options for Sexual Assault Victims developed by the Ending Violence Association of BC and the Community Coordination for Women's Safety (November, 2015).*

## **Third Party Reporting Guidebook: Increasing Reporting Options for Sexual Assault Survivors**

Third Party Reporting (TPR) provides a means by which an adult victim/survivor (19 and over) of a sexual offence/assault can report an incident to police while remaining anonymous. This reporting process is provided as a last resort for victims/survivors who would not otherwise report directly to police or otherwise provide information to the police. It is not a substitute for a call to 911, nor is it in and of itself a police investigation.

In 2008 a province-wide TPR Protocol was implemented in British Columbia by Community Coordination for Women's Safety Program (CCWS) of the Ending Violence Association of BC (EVA BC) in partnership with a provincial Work Team that included the BC Association of Chiefs of Police, RCMP "E" Division, Saanich Police Department, Vancouver Police Department Sex Crimes Unit, and the BC Ministry of Justice. Local coordination of the BC protocol is facilitated by community-based TPR programs in collaboration with RCMP and Municipal Police.

In 2013, CCWS/EVA BC re-engaged the TPR Work Team to discuss policy and protocol implementation successes and challenges. Based on research and information gathered, the 2008 Provincial Protocol was updated. The updated Protocol was endorsed by the BC Association of Chiefs of Police in November 2014. The current BC Provincial Protocol includes TPR Protocol Guidelines for community-based TPR programs and TPR Protocol Guidelines for Police.

The TPR Work Team has developed this Guidebook to increase the use and effectiveness of Third Party Reporting in BC. It includes Protocol Guidelines as well as a template for a local interagency TPR protocol, a sample TPR report cover sheet and a sample TPR report form. Original cover sheets and forms can be obtained by contacting CCWS: [ccws@endingviolence.org](mailto:ccws@endingviolence.org).

Amendments to the 2008 TPR protocol are intended to address the following needs identified to the TPR Work Team during the 2013/14 review\*:

- To encourage more consistent and widespread local implementation and awareness of the TPR Provincial Protocol,
- To clarify under what circumstances personal identifying information collected by the TPR agency pursuant to the TPR will be shared with police, including TPR agency legal authority pursuant to the Personal Information Protection Act to disclose the client personal information without consent where there are compelling circumstances affecting health and safety, and
- To reinforce the TPR agencies' potential bridging role, namely, to help vulnerable victims overcome barriers to accessing the criminal justice system.

*\*The review included a provincial survey of police and Community-Based Victim Services (CBVS) programs conducted by the TPR Work Team; EVA/CCWS dialogue with its member agencies and police/RCMP as part of a half day TPR Workshop at the EVA BC Annual Training Forum; information provided by communities during TPR training in the Fraser Health Region; and a teleconference with EVA member agencies across the province.*

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## **Local Initiatives to Encourage Reporting of Sexual Offences**

For many years, communities throughout BC have attempted to address the fact that very few victims of sexual assault report to the police, particularly victims/survivors who are Indigenous, new immigrants, or sex workers.

Local anti-violence programs, RCMP and Municipal police including Prince George, Vancouver and Victoria have been taking Third Party Reports for some time. In response to the Bakker case, the Vancouver Police Department increased their efforts in this area and developed a very thorough local third party report protocol.

## **Development of a Provincial TPR Protocol**

In 2008, a province-wide Third Party Reporting Protocol for cases of sexual related offences was launched in British Columbia by the Community Coordination for Women's Safety Program (CWWS) of the Ending Violence Association (EVA BC). EVA worked in partnership with the BC Association of Chiefs of Police, RCMP "E" Division, Saanich Police Department, Vancouver Police Department Sex Crimes Unit, and the BC Ministry of Justice. Existing RCMP "E" Division policy supports TPR, as do some municipal policies. In 2013, CCWS/EVA BC re-engaged the TPR Work Team to discuss policy and protocol implementation successes and challenges. The Third Party Reporting Protocol was revised in October 2014. CCWS developed the original Guidebook in 2015 to increase the use and effectiveness of the TPR option across BC.

The provincial TPR protocol is intended as an option for victims/survivors who are 19 years of age and older. TPR agencies are the protocol partners who complete TPRs with victims. Any program or individual can support a victim/survivor to connect with TPR workers, where she will connect with a responder trained to provide support and assist the victim to assess her reporting options.

These include:

- Full report,
- Information only report,
- Third party report, or
- No report.

TPR workers will also provide the victim with critical support that is essential to help the victim heal from trauma. TPR workers can provide assistance throughout the victim's healing process including help with navigating the criminal justice, health and other systems.

## **Dynamics of Sexual Violence**

For the general population, sexual assault is among the most under-reported crimes in Canada, with only 8% of sexual assaults reported to police (Statistics Canada, 2009, General Social Survey). 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.

Like other physical attacks, sexual assault is an act of violence. But sexual assault is a unique crime. It is an act of aggression committed by those who are more powerful against those who are less powerful, most often women, children and people who are commonly subjected to discrimination.

The majority of adult sexual assaults are committed by males against females. 2010 police-reported data reveals that males accounted for 97% of accused sex offenders, while the majority of victims/survivors were female (88%). Offenders are generally motivated by a desire to exercise control over or direct aggression towards women. In some cases men are the victims of sexual assault and women are the assailants. 2010 police-reported data indicates that 12% of adult victims are male and 3% of perpetrators in cases of adult sexual assaults are female. According to the General Social Survey, 7 in 10 incidents of self-reported sexual assault were committed against women. In total, there were 472,000 sexual assaults self-reported by women in the previous 12 months, representing a rate of 34 sexual assault incidents for every 1,000 women. This compares to a rate of 15 sexual assault incidents self-reported per 1,000 men. (Statistical analysis from Johnson 2012 and Sinha 2013).

Sexual violence is all too prevalent in our society. Current literature indicates that such violence is part of a continuum, which includes acts such as unwanted sexual touching of buttocks or breasts and rape, physical mutilation and murder.

Few solutions have come forward over the years that encourage victims/survivors to report. Minimal interventions in these cases by the criminal justice system has unfortunately contributed to a social environment in which sexual assaults continue unchallenged.

### **Barriers to Reporting**

Victims/survivors are reluctant to report to police for many reasons including fear of retaliation by the assailant, fear that they will not be believed or that they will be judged, and feelings of humiliation and shame.

In the case of Indigenous women, historical relationships with police due to the legacy of residential schools and removal of children from their home communities, contribute to a context of fear and mistrust of state authorities.

In the case of immigrant/refugee/visitor women, fear of police authorities because of the system in their country of origin, language barriers and cultural taboos can play a part in fear of reporting.

Sex workers are at particular risk of being sexually assaulted and are even less likely to report this type of violence. A survey of sex workers in Vancouver's Downtown Eastside revealed that 62% had been sexually assaulted on the job during the previous six months (Currie et al 1995).

Studies also show that sexual assault of sex workers is more likely to involve physical violence requiring hospitalization and more likely to involve more than one assailant (Miller and Schwartz 1995).

For women in the sex trade, or who are street involved, the chance of the victim/survivor reporting to police is even lower than other marginalized groups. They may be reluctant to report because of:

- Perception by the public that assault is part of the risk of their lifestyle
- Mistrust of the system; belief that the system will not respond
- Fear that they will not be believed
- Fear that they will be arrested if they have outstanding warrants, or
- Fear of retaliation by the assailant

Women engaged in the survival sex trade all fear violence and its pervasive influence on their lives. They experience violence at the hands of almost everyone with whom they come into contact with [sic]. The relationship between police and sex trade workers is generally marked by distrust, so they tend to under-report crimes of violence. There is clear correlation between law enforcement strategies of displacement and containment of the survival sex trade to under-populated and unsafe areas... and violence against vulnerable women.

*Forsaken; The Report of the Missing Women Commission of Inquiry (2012), Page 15, 16.*

## **The Value of Third Party Reporting**

### **For the Victim/Survivor**

For the victim/survivor, TPR is an invaluable tool which provides an opportunity to give the information to authorities without the undue stress of worrying about being arrested, deported, not believed or judged. TPR gives an otherwise reluctant person, who may be mistrustful of the system, a way to engage with that system and a positive experience of reporting crime. This in turn may open up other doors down the road should other crimes be committed.

TPR also:

- Gives victims/survivors needed time to decide if and when they are ready to engage the criminal justice system
- Provides an opportunity for victims/survivors to disclose in a safe way
- Provides a way to engage with the system that may lead to making a formal report

### **For the Police**

- Predators travel, as do victims/survivors, and having an integrated system allows all police to track the suspect's movements.
- There is no cost involved. Any time spent collecting predator information or entering it onto PRIME will result in information that was not available previously.

- There is potential for some of these cases to result in solid leads about violent predators. This in turn could result in a TPR becoming a statement and then a solid case. This would all result from information that would not have come forward otherwise.
- TPR gives another option to those who face particular discrimination or barriers to providing information to the police. This then builds potential connections among the police, community agencies and the victims/survivors they serve. This relationship has often been cited as a missing link that leads to under-reporting.
- Sexual assault is among the most under-reported crimes and as such, when violent sexual predators are operating in any given area, police often have little or no information to assist in protecting citizens. TPR has the potential to increase leads on predators.
- As well as increased access to intelligence about sexual predators, the receipt of a TPR may prevent other sexual assaults by the same perpetrator through identifying trends earlier. Under the current Provincial Protocol, TPRs will be entered into PRIME. This provides an additional tool for police to identify trends or predators.

### **Third Party Reporting and Interagency Coordination**

A coordinated provincial response can increase the benefits of TPR. Interagency responses can ensure that data is compared across police jurisdictions so that predators that move from one area to another can be identified. As well as benefitting from coordination, TPR also encourages interagency collaboration resulting in a more robust safety net for victims and potential victims. Examples of this include:

- Allowing someone who has been sexually assaulted in one jurisdiction to report in another
- Supporting local efforts to establish protocols
- Facilitating the tracking of transient protocols
- Facilitating broad-based interagency cooperation and learning
- Heightening awareness and
- Facilitating a consistent, effective response

Existing RCMP policies support TPR, as do some municipal policies. The development of the Provincial TPR Protocol helps ensure a consistent response to victims/survivors of sexual assault, thereby increasing the safety and well-being of women around the province.

### **Agency Roles and Responsibilities When a Victim Makes a Third Party Report**

The mandate of TPR workers includes supporting victims/survivors of power-based crime including sexual assault. TPR workers help victims/survivors consider their options regarding reporting to the police. Beginning in June 2008, TPR workers were given training, community development support and the necessary paperwork to assist clients to fill out TPRs and to facilitate ongoing processes related to TPRs. Also beginning in June 2008, RCMP and municipal police were given training, community development support and the necessary protocol guidelines to accept and process TPRs from TPR workers.

## **Tools and Resources**

- Detailed TPR worker guidelines for processing TPRs are set out in the May 2015 *Community-Based TPR Worker Protocol Guidelines*. (Attached as Appendix A).
- Detailed Police/RCMP guidelines for processing TPRs are set out in the October 2014 *Third Party Reporting Police Protocol Guidelines* (Attached as Appendix B).
- To implement TPR locally, TPR workers and police need to negotiate local agreements incorporating the steps and procedures contained in the Police and Community-Based TPR Programs Provincial Protocol Guidelines. A local TPR protocol template (attached as Appendix C) can be used as the basis for local interagency agreements regarding roles and responsibilities with respect to TPR.
- A sample TPR cover sheet and form are attached in Appendices D and E.
- For original/individual versions of all Appendices as well as other support regarding Third Party Reporting contact CCWS: [ccws@endingviolence.org](mailto:ccws@endingviolence.org) 604-633-2506 ext. 15

## **Referring Agencies**

- Any program or individual can support a victim/survivor to connect with TPR program which will assist her with next steps regarding the TPR process.
- If an adult victim/survivor of a sexual offence attends or contacts another program, she should be referred to the nearest TPR program. The referral may involve assisting her to get there or accompanying her throughout the process over the phone or in person, particularly if the TPR worker is in another community.

## **Key Implementation Principles**

Making a police report can be a potentially traumatic experience: as she completes a statement, the victim/survivor may experience a “reliving” of the violent incident. It is vital that victims/survivors receive support and follow-up during this time and this need is built into the Provincial TPR Protocol which currently directs that TPR programs provide this support.

Following are some principles that are key to successful implementation of the TPR Protocol:

- That Third Party Reports be used only as a last resort for victims/survivors who otherwise would not report to the police
- That TPR workers and police negotiate local agreements incorporating the steps and procedures contained in the Provincial Protocol Guidelines
- That local TPR protocols be integrated at the provincial level to help ensure that data is compared across jurisdictions to help identify predators who move from one community to another
- That TPR workers and other agencies in the community make efforts to ensure that the Third Part Report option is known in their community, in particular, with sex trade workers, and with Indigenous and immigrant women
- That the reports are received by one consistent central person or department within the responsible agency to ensure consistent use of the data
- That the police agency enters the data onto a province-wide information system such as PRIME to ensure consistent use of, and access to, the data.
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## Appendix A

### THIRD PARTY REPORTING COMMUNITY-BASED TPR WORKER PROTOCOL GUIDELINES (Revised May 2015)

**Note:** The following are only guidelines for TPR programs to follow in handling Third Party Reports (TPRs). Each agency will develop their own specific-in-house protocol to further guide the handling of TPRs as per their agency policies. To implement TPR locally, it is also recommended that TPR workers and police negotiate local interagency agreements outlining roles and responsibilities with respect to the handling of TPRs.

#### **Preamble:**

This province-wide protocol was implemented in 2008 by the Community Coordination for Women's Safety Program (CCWS) of the Ending Violence Association of BC (EVA). EVA worked in partnership with a provincial Work Team that included the BC Association of Chiefs of Police, RCMP "E" Division, Saanich Police Department, Vancouver Police Department Sex Crimes Unit, and the BC Ministry of Justice. The CCWS Work Team revised these CBVS Protocol Guidelines in October 24 with revisions approved by the BC Association of Chiefs of Police in November 2014.

#### **Purpose:**

Sexual assault is a serious crime often resulting in major physical or psychological injury. Under-reporting of sexual offences remains a critical issue. It is important to remember that with a sexual assault, as with any violent offence, police can play a critical role in assessing risk and protecting the victim/survivor and other potential victims/survivors from further violence. To help the police better protect potential victims/survivors, every effort must be made to encourage reporting of these crimes particularly in high risk cases or cases involving serial offenders or sexual predators.

TPR is a process which allows adult victims/survivors to report details of a sexual offence/assault to police anonymously, through a third party agency. The "Third Party Report" is an option of last resort for victims/survivors who would not otherwise provide information to the police. It is not a substitute for a call to 911, nor is it in and of itself a police investigation.

The intent of third party reporting is not to circumvent the criminal justice system but to build a bridge, better enabling particularly vulnerable victims/survivors to access the system. The hope is that with specialized support, vulnerable victims/survivors will feel safe enough to ultimately make a police report. Even the simplest knowledge that a third party reporting option exists may encourage vulnerable women to seek the help of a community-based agency and build a relationship of trust with that agency, rather than remaining invisible to any response system.

Community-based programs provide services primarily to victims/survivors of domestic and sexual violence; providing information about the justice and other systems, practical help, emotional support and referrals to other appropriate programs. With enough information and

the knowledge that she could have support through the entire process, some victims may choose to make a full report to police.

The “anonymous reporting” contemplated by TPR gives victims/survivors needed time to decide if and when they are ready to engage the criminal justice system. An anonymous TPR may also provide police with critical information about sex crime patterns in their jurisdictions. A key objective of TPR is to promote improved evidence collection in order to provide better assistance to victims/survivors during court proceedings and to hold more offenders accountable.

### **THIRD PARTY REPORTING PROTOCOL**

#### **TPR Preparation by TPR Worker:**

- An adult victim/survivor (age 19 and over) of a sexual offence may attend any TPR agency in BC and complete a TPR.
- Any program or individual can support a victim/survivor to connect with a TPR program, where she will connect with a responder specially trained to support her.
- Police-based Victim Service Agencies (PBVS) cannot accept or process TPRs. PBVS provide assistance to victims/survivors of all crime types. They are not able to take TPRs as they must notify police of any crimes and the name of victims/survivors reported to them. PBVS are also not able to house TPR victim/survivor contact information confidentiality, as police may on occasion access PBVS files.
- If an adult victim/survivor of a sexual offence attends or contacts PBVS and requests to complete a TPR, the PBVS will provide the victim/survivor with information about the TPR process and will refer the victim/survivor to the nearest TPR agency.
- Prior to considering TPR as an option, TPR worker will outline the process and benefits of reporting to police and will explore all other options regarding reporting with the victim/survivor, (including full report, information only report<sup>1</sup>, TPR and no report) as well as the reasons for reluctance to engage in a full report.
- TPR worker will inform the victim/survivor that TPR is not the optimal way to make a police report. Because of the third party/anonymous nature of the information, and likely time delay before any police personnel will review the TPR report, valuable evidence can be lost. If there is an expectation of an investigation and/or charges being laid, the victim/survivor should be supported in making a full police report through regular channels.
- TPR should not be used in circumstances where the victim/survivor is in imminent danger from the suspect, or there is a risk of significant harm to the health or safety of the public group of people, or risk to a child. TRP worker should refer to their agency’s privacy and risk management policies and guidelines in determining whether the client’s situation requires the need for immediate protective intervention.
- Under this Protocol, if TPR is assessed appropriate, TPR workers complete the TPR with the sexual offence victim/survivor.

<sup>1</sup> An “information only” report means the victim gives the information directly to police without the involvement of a TPR agency, but where she indicates to police that she does not want the information to result in investigation and

possible recommendation of charges. The victim is informed that she will not have control over whether police investigate and recommend charges.

- The TPR worker meets with the victim/survivor with a focus on providing information and support.
- The victim/survivor is given the TPR Questionnaire to fill out with the information that she is comfortable providing.
- The TPR worker ensures that the victim/survivor consents to the TPR process and understands the limits to confidentiality of the information she provides as part of that process. The victim/survivor should be advised that personal information in the TPR and/or her identity may be disclosed by the TPR worker where there is a risk of significant harm to the health or safety of the public, a group of people, or a child.
- Once completed, the cover sheet with the victim's identifying information is removed and stored by the TPR worker in accordance with agency policy, in such a way that the victim's contact information can only be accessed using a confidential file number.
- The completed TPR form (with the agency file number and community agency contact information) is forwarded to the police agency in the jurisdiction where the report was completed without including any information that would identify the victim/survivor. The form should be either hand delivered or sent to the appropriate police department via registered mail- to ensure continuity of evidence.
- The TPR worker makes every effort to ensure that support continues and that the victim/survivor is connected with a Stopping the Violence Counselling Program and/or other appropriate services.

#### **Police TPR intake:**

- Police have guidelines and policy to facilitate receiving and following through on Third Party Reports. To ensure investigative consistency, a member or section is designated as the TPR processing unit. This will generally be the Criminal Investigation Section or Major Crimes Unit (RCMP).
- When TPR workers forward a completed questionnaire to police, police notify the TPR worker that they have received the questionnaire and give a police file occurrence number.
- Police 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 may be undertaken, ensuring that the identity of the victim/survivor is not jeopardized through any inquiries conducted.
- Police update the TPR worker regarding further actions such as transferring information to other police agencies if the crime occurred elsewhere.
- If it is determined that there is investigative viability, police will contact the TPR worker and advise them that police would like to speak with the victim/survivor. The agency will act as an intermediary and will advise police if the victim/survivor is willing to speak to the police directly.

**Police contact with the victim:**

- Contact with police remains the decision of the victim/survivor unless very serious circumstances warrant investigation. These circumstances would involve situations where there is a risk of significant harm to the health or safety of the public or a group of people or risk to a child.
- At initial intake, the TPR worker will already have informed the victim/survivor about the TPR process generally and of its limits to confidentiality involved.
- If there is information regarding further police procedures such as transferring the information to another detachment, or a need/interest to interview the victim/survivor, police contact the TPR worker to follow up.
- The TPR worker then contacts the victim/survivor to speak with her about the police information or request. Generally, where a TPR has been made, the TPR agency would not share the victim's personal or any identifying information about her with police without her consent.
- If police are requesting to speak with the victim/survivor and permission is given by the victim/survivor, the worker will arrange a meeting with the officer or give the victim's contact information to the investigating officer.
- In very serious situations, it may be necessary to the public interest, for TPR workers to share the victim's personal/identifying information with police without her consent. This would involve situations where there is a risk of significant harm to the health or safety of the public or a group of people or risk to a child.
- Community-based victim assistance programs subject to the Personal Information Protection Act, have the legal authority to disclose client personal information without consent if there are reasonable grounds to believe that compelling circumstances exist that affect someone's health or safety and if notice of the disclosure is mailed to the last known address of the person to whom the personal information relates. Such information may also be disclosed to a law enforcement agency, concerning an offence, to assist in an investigation or in the making of a decision to undertake an investigation. (See Personal Information Protection Act ss. 18(1)(j) and 18(1)(k)). Community-based victim assistance programs are required to report to the Ministry for Children and Family Development facts and circumstances supporting a belief that a child need protection. See s. 13 of the Child, Family, and Community Service Act for examples of when a child would be deemed in need of protection.

## Appendix B

### THIRD PARTY REPORTING POLICE PROTOCOL GUIDELINES (Revised 2014 10 20)

**Note:** The following are only guidelines for police agencies to follow in handling Third Party Reports (TPRs). Each police agency will develop their own specific protocols in handling TPRs as per their department/detachment policies.

#### **Preamble:**

This province-wide protocol was implemented in 2008 by the Community Coordination for Women's Safety program (CCWS) of the Ending Violence Association of BC (previously the BC Association of Specialized Victim Assistance and Counselling Programs), in partnership with a provincial Work Team that included the BC Association of Chiefs of Police, RCMP "E" Division, Saanich Police Department, Vancouver Police Department Sex Crimes Unit, and the BC Ministry of Justice (previously the Ministry of Safety and Solicitor General). This document forms an appendix to the "Third Party Reporting of Sexual Assault BC Protocol" document authored and held by CCWS. The CCWS Working Group revised these Police Protocol Guidelines in October 2014 with revisions approved by BCACP in November 2014.

Third Party Reporting is a process that provides a means by which an adult victim/survivor of a sexual offence/assault can report an incident to police while remaining anonymous. This reporting process is provided as a last resort for reluctant sex offence/assault victims/survivors who are not presently prepared to interact with the justice system and report the incident directly to police. The police recognize there are a variety of reasons why victims of a sex offence may not want to interact with the justice system. It is believed that by providing an alternative means by which to report, crucial information may be shared with police in a way which the victim is comfortable with. This may provide the victim/survivor a better view of the justice system and allow crucial information to be shared with police. This program has been developed to ensure consistent practice across the province of BC. It is based on models that have been in use for many years in Vancouver, Victoria, and Prince George.

It is important to note that TPR is not a substitute for a call to 911, nor is it in and of itself a police investigation. A TPR is solely a means of engaging the reluctant victim/survivor and provides a way for the victim/survivor to pass on information about a crime to police, while at the same time remaining anonymous.

#### **Third Party Reporting Protocol**

##### **TPR Preparation by Third Party Reporting Agency:**

- An adult victim/survivor of a sexual offence may attend any TPR agency in BC and complete a Third Party Report.
- The TPR agency forwards the completed TPR to the police agency in the jurisdiction where the report was completed.

- It is important to note that Police-based Victim Service agencies cannot accept or process TPRs.
- As per Police-based Victim Service Program policy, PBVS must report to a member any situation of violence in relationships (including VIR sexual assaults/offences), child abuse, or suicidal/homicidal behaviour, and as such, cannot guarantee confidential communication with the client in all circumstances. Police-based Victim Service programs are also not able to house TPR victim contact information confidentially, as police may on occasion access PBVS files.
- If an adult victim/survivor 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/survivor to the nearest community-based TPR agency.

**Police TPR Intake and Processing:**

- To ensure investigative consistency, a member of section must be designated as the TPR processing unit. This will generally be the Criminal Investigation Section of Major Crimes Unit (RCMP).
- Ensure that an operational file is created when a TPR is received.

**Police TPR Preliminary Assessment:**

- Upon the receipt of the TPR, a preliminary assessment will be conducted to determine where the alleged offence occurred; and if another police jurisdiction will be required to conduct any follow-up.
- If the offence occurred in another police jurisdiction, forward documentation of your preliminary investigation to the police jurisdiction and notify the originating TPR agency of your actions.
- Determine the investigative viability of the alleged offence by applying investigative principles to the information contained in the TPR. Ensure that the identity of the victim/survivor is not jeopardized through any enquiries conducted.
- If it is determined that there is investigative viability, contact the community-based TPR agency. Provide the agency with the TPR's tracking number and advise them that police would like to speak with the victim/survivor. The agency will act as an intermediary and will advise police if the victim is willing to speak to the police directly.
- If the victim/survivor is willing to speak with the police, assign a follow-up investigator to the file.
- If you determine there is no investigative viability (i.e.: insufficient information, victim is unable or unwilling to provide further information, no crime is alleged), advise the originating TPR agency so that they can notify the victim.
- Always provide the TPR agency with the police file occurrence number, so that they or the victim/survivor may follow up in future.

**Police TPR Investigation:**

- The follow up investigator will prepare an initial General Occurrence (GO) in PRIME.

- The follow up investigator will conduct an investigation, ensuring the s/he protects the identity of the victim/survivor.
- The follow up investigator will contact the TPR worker to request to speak with the victim/survivor.

**Police TPR Documentation in PRIME:**

- RCMP policy states that all TPRs received by a police agency must be entered on PRIME and an occurrence report created. Municipal police agencies will refer to their PRIME protocols.
- All available details of the incident must be entered on the PRIME report and if practicable, the TPR should be scanned into the "GO" so that it can be accessed by all police in the province.
- The victim/survivor will be listed as "unknown" in the "entities" field.
- The assailant's name (if known) will be listed as "subject of complaint."
- A separate template will be utilized to list the name of the community-based TPR agency and will include their tracking number to ensure cross-referencing between police and the reporting agency.
- A separate template headed "Third Party Report" will be utilized and will identify to all police if the "victim is unknown" and that "the information is unconfirmed." This entry can be amended if a criminal investigation is initiated.
- The USR code will reflect the type of offence that is being alleged.
- The investigator will contact the TPR agency and provide the GO number to the agency, to allow them to cross-reference their tracking number with the police report number.

**Police Contact with the Victim:**

- The police will make contact with the victim/survivor through the TPR agency. The police will provide the TPR agency with the TRP tracking number so the TPR worker can locate the victim's personal and contact information. The TPR program will act as the intermediary, until the victim/survivor consents to speak with police.
- Contact with the police will remain the decision of the victim/survivor, unless very serious circumstances warrant intervention. These circumstances would involve situations where there is a risk of significant harm to the health or safety of the public or a group of people or risk to a child.
- Historically in sex offence cases the courts, and as a corollary of this the investigation, have focused their attention very much on the victim's statement. While the victim's statement is a crucial piece of evidence, the possibility of getting a statement from the victim/survivor should not preclude vigorous efforts to obtain other evidence.
- TPR agencies are subject to the Personal Information Protection Act, have the legal authority to disclose client personal information without consent if there are reasonable grounds to believe that compelling circumstances exist that affect someone's health or safety and if notice of the disclosure is mailed to the last known address of the person to whom the personal information relates. Such information may also be disclosed to a law enforcement agency, concerning an offence, to assist in an investigation or in the making of a decision to undertake an investigation. (See Personal Information Protection Act ss.



18(1) (j) and 18(1)(k). TPR workers are required to report to the Ministry for Children and Family Development facts and circumstances supporting a belief that a child needs protection. See s. 13 of the Child, Family and Community Service Act for examples of when a child would be deemed in need of protection.

## Appendix C

### Interagency Third Party Reporting Protocol – Sea to Sky Region

Third Party Reporting (TPR) is a process that allows adult victims/survivors to report details of a sexual offence to police “anonymously” through a third party agency. The process is offered to sex crime victims who are not presently prepared to approach police directly. TPR is to be used only after all other reporting options have been explained.

**Within the mandate of our services, all agencies participating in these protocols agree to the following statement:**

*Be inclusive and provide equal treatment for all people accessing our services, while being sensitive to the challenges of race, ethnicity, gender, age, sexual orientation, socio-economic status, and/or abilities of individuals.*

AGENCIES INVOLVED (NORTH)	
<b>Sea to Sky RCMP Detachment</b> Catchment (Whistler/Pemberton Catchment Area)	<b>Cst. Beverly Baker or designate</b> <a href="mailto:beverly.baker@rcmp-grc.gc.ca">beverly.baker@rcmp-grc.gc.ca</a> 604-932-3044
<b>Stl’atl’imx Tribal Police Service</b> (Mt. Currie, N’Quatqua/D’Arcy, Samahquam, Skatin, Xa’xtsa)	<b>Sgt. Michael Leo</b> <a href="mailto:michael.leo@stlatlimxpolice.ca">michael.leo@stlatlimxpolice.ca</a> 604-894-6124
<b>Sea to Sky Community Services</b> <b>Community-Based TPR Worker</b> (All Northern STS Locations)	<b>Jane Walser or designate</b> <a href="mailto:jane.walser@sscs.ca">jane.walser@sscs.ca</a> 604-698-6909
<b>Police-Based Victim Services</b> RCMP (Whistler/Pemberton Catchment Area)	<b>Allison Harriman</b> <a href="mailto:allison.harriman@rcmp-grc.gc.ca">allison.harriman@rcmp-grc.gc.ca</a> 604-905-1969
AGENCIES INVOLVED (SOUTH)	
<b>Sea to Sky RCMP Detachment</b> Catchment (Squamish Nation, Squamish, Britannia Beach, Furry Creek, Lions Bay, Bowen Island Catchment Areas)	<b>Cst. Kelly Wu or designate</b> <a href="mailto:kelly.wu@rcmp-grc.gc.ca">kelly.wu@rcmp-grc.gc.ca</a> 604-892-6100
<b>Howe Sound Women’s Centre Society</b> <b>Community-Based TPR Worker</b>	<b>Shannon Herdman or designate</b> <a href="mailto:sherdman@hswc.ca">sherdman@hswc.ca</a> 604-892-5748
<b>Police-Based Victim Services</b> RCMP (Squamish Nation, Squamish, Britannia Beach, Furry Creek, Lions Bay, Bowen Island Catchment Areas)	<b>Jenna Becker or designate</b> <a href="mailto:jenna.becker@rcmp-grc.gc.ca">jenna.becker@rcmp-grc.gc.ca</a> 604-892-6153

## TPR OPTION REFERRAL ORDER

**NORTHERLY-BASED LOCATIONS** (*Skatin, Samahquam, Xa'xtsa, N'Quatqua/D'Arcy, Mt. Currie, Birken, Pemberton, Whistler*) in the Sea To Sky region will make referrals to the community-based TPR worker in the following order:

1. Jane Walser (SSCS), 604-698-6909 and if not available and the referral is time sensitive, then call:
2. Shannon Herdman (HSWC), 604-892-5748

**SOUTHERLY-BASED LOCATIONS** (*Squamish Nation, District of Squamish, Britannia Beach, Furry Creek, Lion's Bay, and Bowen Island*) in the Sea to Sky region will make referrals to the community-based TPR worker in the following order:

1. Shannon Herdman (HSWC), 604-892-5748 and if not available and the referral is time sensitive, then call:
2. Jane Walser (SSCS), 604-698-6909

***Male-identified survivors of a sexual offence who live in the Lil'wat, N'Quatqua, Samahquam, Skatin and Xa'xtsa Nations who want to explore the TPR option are to be referred to Jane Walser, Sea to Sky Community Services.***

### DEFINED RESPONSIBILITIES

#### **Sea to Sky RCMP Detachments/ Stl'atl'imx Tribal Police Services**

Services to be provided in relation to the Third Party Reporting Option:

1. Refers to the most recent Third Party Reporting Guidebook for all TPRs.
2. Each detachment appoints a member or section to be designated as the TPR processing unit.
3. Ensures that an operational file is created when a TPR is received from the Community-Based TPR Worker (Shannon Herdman, Jane Walser, or designate).
4. Determines the investigative viability.
5. Ensures the anonymity of the victim.
6. Gives Community-Based TPR Worker the police file number once the TPR is received from Community-Based TPR Worker.
7. Forwards documents to other applicable police jurisdictions if deemed appropriate.
8. Makes contact with victim through the Community-Based TPR Worker. If it is deemed necessary to ask for victim information, gives tracking number to Community-Based TPR Worker so they can locate the victim's personal contact information.
9. A member from RCMP E Division will act as a liaison with the detachment to support the investigation through the email address: [E\\_THIRD\\_PARTY\\_REPORTING@rcmp-grc.ca](mailto:E_THIRD_PARTY_REPORTING@rcmp-grc.ca)

#### **Community-Based TPR Agencies**

Services to be provided in relation to the Third Party Reporting Option

1. Refers to the most recent Third Party Reporting Guidebook for all TPRs.
2. For the purposes of this pilot project, the following agencies will provide the TPR Option to the following populations *visiting or residing* in the STSC:

	Female-identified survivors	Male-identified survivors	
Sea to Sky Community Services in <i>Whistler &amp; Pemberton</i> Jane Walser or designate	Yes	From the Lil'wat, N'Quatqua, Samahquam, Xa'xtsa Nations	604-698-6909
Howe Sound Women's Centre in <i>Squamish</i> Shannon Herdman or designate	Yes	No	604-892-5748
Hollyburn Family Services* in <i>North Vancouver</i> Specialized Victim Services	See above agencies	Yes	778-855-4566

\*Hollyburn VS provides the TPR Option outside the terms contained within the STS Interagency Third Party Reporting Option Protocol.

3. Provides information and support to survivors.
4. Collects survivor consent to complete the TPR.
5. Removes cover sheet and stores in a secure location so client's information can only be accessed with a confidential file number.
6. Forwards completed TPR with tracking number and contact information for community based agency to the police where the report was completed. Keeps a copy of the TPR prior to forwarding to police
7. Sends TPR via registered mail or hand delivers to RCMP/STPS.
8. After delivering the TPR to the police detachment, confirm the delivery of the TPR by sending with the date, community, RCMP detachments or STPS, and your agency file # to: E\_THIRD\_PARTY\_REPORTING @RCMP-GRC.GC.CA and [ccws@endingviolence.org](mailto:ccws@endingviolence.org).
9. Shreds the copy of the TPR once police confirm they have received it. Keeps cover page and takes police file number. Files cover letter in a dedicated locking cabinet.
10. Passes on police file number to survivor.
11. Acts as an intermediary between the survivor and police until the survivor has consented to speak with the police.
12. Communicates with the survivor if RCMP/STPS requests his/her name. Releases name of survivor/victim to police if the police clearly states that there is imminent danger to victim or to others\*, (and it is not safe or possible to contact the victim).

### **Police Based Victim Services**

Services our agency provides in relation to the Third Party Reporting Option

1. Does not accept or process TPRs.
2. Does not house TPR victim contact information.

3. Provides victims with information about the TPR process and refers them to the appropriate Community-Based TPR Worker.
4. Provides the appropriate Community-Based TPR Worker with current police contact if necessary.
5. Responds to questions regarding the TPR option within their respective police agency.

# SUCCESSFUL COLLABORATION WHEEL

**When to collaborate?**

The general rule is that law enforcement agencies or personnel should engage in collaboration with other organizations or individuals when stakeholders have a common, long-term goal; are committed to working together as a team; and cannot achieve the goal more efficiently as independent entities. Not all law enforcement relationships must be collaborative, nor should they strive to be. Under some circumstances, it may be appropriate for law enforcement personnel just to establish a good communication plan. Under other circumstances, cooperation between two individuals may be sufficient. Perhaps enmeshment between two agencies to avoid duplication of effort is all that is required. Collaboration is, however, critical for many community policing endeavors.



Reproduced from "Collaboration Toolkit: How to Build, Fix, and Sustain Productive Partnerships," by Tammy A. Reinhart, Anna T. Leszko, and Gwen D. Bliscoe, Ph.D., Community Oriented Policing Services, U.S. Dept. of Justice, Washington, D.C., 2001

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