

# Review of Sexual Assault Investigations



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## Objectives of the Review

The objective of this review is ensure that the St. Thomas Police Service conducts all investigations into reported Sexual Assault cases to the highest of standards, ensuring that victim's rights are respected and that victims are treated fairly throughout. Also, to ensure that the practices and policies of the St. Thomas Police Service remain consistent with current legislation and identified best practices. This review will focus on incidents of sexual assault, domestic sexual assault and sexual offences against children, reported to the St. Thomas Police Service in 2020. The following objectives have been identified.

- Review the current policies governing the investigations of sexual assaults, domestic related sexual assaults and sexual offences against children
- Recognize the mechanisms used to track these offences
- Identify those incidents that have been cleared as “unfounded”
- Review “unfounded” investigations to determine what factors facilitated the outcome

## Method

This review of sexual assault investigations was conducted by the supervisor of Criminal Investigations was commenced in January of 2021.

A review of sexual assault investigations takes place daily, monthly and yearly.

These statistics are garnished from the Uniform Crime Reporting (UCR) within the Niche Records Management System (RMS).

- In 2020 the St. Thomas Police recorded 51 incidents that were investigated as sexual related offences (as per Viclas log/submissions). These incidents include all alleged reported incidents of a sexual nature. 34 of these complaints (sexual assaults, invitation to sexual touching, sexual interference, luring and sexual exploitation) resulted in the submission of a Viclas (Violent Crime Linkage Analysis System)
- There were 7 sexual assault charges laid in 2020
- There were 11 charges relating to sexual offences against children
  - 5 Invitation to Sexual Touching
  - 4 Sexual Interference
  - 2 Sexual Exploitation

## **Current Policies and Procedures Relating to Sexual Assault Investigations**

The following policies and procedures have been implemented by the St. Thomas Police Service for reports of sexual assault, domestic sexual assaults and sexual offences against children.

- LE-034 Sexual Assault Investigations
- LE-046 Sexual Offender Registry
- LE-024 Domestic Violence Occurrences
- LE-027 Child Abuse and Neglect
- LE-006 Criminal Investigation Management Plan
- LE-020 Collection of Evidence
- LE-021 Elder and Vulnerable Adult Abuse
- LE-036 Child Pornography
- PR-11 DNA
- PR-48 Victim's Rights
- PR-49 Viclas
- PR – 80 Human Trafficking
- VA-001 Witness Assistance

## Objective Findings and Recommendations

### **Objective**

To review the related policies and procedures

### **Findings**

The policies and procedures relating to sexual assault investigations remain relevant and are consistently adhered to by all members of the Service. Policy LE-034 has been updated to reflect the way victims of trauma remember events and trauma informed response to victims to adhere to best practices and to align with the training provided by the Ontario Police College.

The Service continues to work closely with community partners involved in victim's rights and resources.

### **Recommendations**

- Implement on-line learning for trauma informed interviewing and motivational interviewing (as they become available), for Criminal Investigations Officers dealing with victims of crime.

## Objective Findings and Recommendations

### **Objective**

Tracking Mechanisms

### **Findings**

Reported Sexual Assaults are tracked through the Uniform Crime Reporting (UCR) within the Niche Records Management System (RMS).

### **Recommendations**

All reported incidents were analyzed and found to be categorized correctly. No recommendations required.

## Objective Findings and Recommendations

### Objective

Review all “unfounded” incidents.

### Findings

- There were no unfounded incidents in 2020

### Recommendations

There are no recommendations identified.

## Training

Sexual assault investigation training is incorporated at the recruit level. Adequacy levels are tracked by coach officers and approved by the recruit’s direct supervisor. A stand- alone component of a recruit’s training is designated for sexual assault investigations.

All threshold offences are reassigned to the Criminal Investigations Unit as per the Criminal Investigations Management plan (LE-006). All members of the unit have been trained in Sexual Assault Investigations as of October 2020.

These officers are members of the Sexual Assault Investigators Association of Ontario (SAIAO).

All members of the unit are provided with additional training provided by local and regional Crown Attorneys who specialize in sexual violence prosecutions.

Designated members of the unit participate in “community partner” committees created and designed to address the sensitive nature and issues confronting victims and survivors of sexual assault.

As of **January 2021**, **2** new members have joined Criminal Investigations. These members require the ministry accredited training as per the Criminal Investigations Management plan (LE-006).

## Recommendations As A Result of This Review

- Maintain and Monitor the St. Thomas Police Service's on-line reporting tool for sexual assaults, and make improvements and/or changes as required.
- Ensure those members (both front-line and investigators) involved in investigating Sexual Violence Offences receive continuous and ongoing training. (ie. SAIAO conferences, Crimes Against Women Conferences, etc). Training such as this helps keep members current and is an excellent opportunity to network for future development.
- Ensure members of the Criminal Investigations Branch receive training opportunities in the areas of motivational interviewing as well as trauma informed interviewing as they become available.

### UPDATE :

## Previous Recommendations (2017-2019)

### 2017

- It is recommended that LE-034 be amended to designate the NCO of the Criminal Investigations Branch oversee all sexual assault incidents. – **Completed.**
- Currently, there are 19 categories within the records management system designated for sexual assaults. These statistics are gathered and maintained by a civilian member with no training in sexual assault investigations. This could be rectified by implementing a practice whereby an NCO from the Criminal Investigations Unit works with the civilian member responsible for this task to categorize these offences consistently to assist with submissions to Statistics Canada The investigating officer's NCO could monitor these investigations and ensure that the initial call for service is updated to reflect the nature of the investigation. It is also recommended that an inquiry be made into the records management system's ability to add other new clearing code options such as "unsubstantiated". – **Completed and Ongoing**
- A review of the "unfounded" incidents identified several that were cleared or categorized inconsistently. In conducting the review the UCR definitions for "unfounded" and "unsubstantiated" were used as guidelines to determine if incidents were cleared accurately. One incident was found to be incomplete with no reports. This incident was reviewed by the NCO of Criminal Investigations and sent back to the investigating officer to rectify. This one incident was actually investigated completely at the time remaining unfounded, however reports to reflect the investigation were not submitted at the time but as a result of the review, have now been so. – **Completed and Ongoing**

- A review of all reported sexual assaults by an NCO in the Criminal Investigations Unit would result in more accurate and consistent categorization. – **Completed and Ongoing**

## **2018**

- Update the policy to reflect the trauma informed response to victims. - **Updated**
- Update the recruit manual to include available video training for trauma informed response to victims. **Updated**

## **2019**

- Provide a Comprehensive evaluation of the viability and relevance of a continued Elgin County Sexual Assault Protocol after discussion with community stake holders. **Completed**
- Ensure those members (both front-line and investigators) involved in investigating Sexual Violence Offences receive continuous and ongoing training. (ie. SAIAO conferences, Crimes Against Women Conferences, etc). Training such as this helps keep members current and is an excellent opportunity to network for future development. **Ongoing**
- Update and/or create a policy in regards to Human Trafficking and the correlation with Sexual Violence Investigations. **Completed LE-080**
- Update ViClas policy to include ‘digital/electronic’ submissions. **Updated/Completed**
- Update the policy to include definitions of 2SLGBTQQIA, Indigenous, Trauma Informed, Victim/Survivor Centered, Intimate Partner Sexual Violence. **Updated/Completed**
- Update the recruit manual to include available video training for trauma informed response to victims. **Updated/Completed**

## **Results of Previous Recommendations**

As a result of previous Annual Reviews, numerous recommendations have been made. In 2017 the emphasis of the review was based primarily on reporting and statistical tracking. New clearing codes in the records management system were implemented as a result. The NCO of Criminal Investigations now oversees all reported sexual assaults, logs them and categorizes them as they are received. Since the review in 2017 there have been 0 ‘unfounded’ cases of sexual assault. Our service’s policy LE-034 is updated and amended yearly as the need arises. In 2017 the policy was amended to reflect the NCO of CIB overseeing the sexual assault incidents. In 2018 the recommendation, again, was to modify/amend policy LE-034 to reflect the need for ‘trauma informed’ investigations. This was specifically in reference to victims. This also included training being implemented at a recruit level as part of their recruit manual.



In 2020, a complete review of the Elgin County Sexual Assault Protocol was completed by the NCO of Criminal Investigations (**as a result of 2019 Recommendations**). It was determined that the previous Protocol had been in place since 1998. Many of the stakeholders had since developed their own strategies and implement their own protocols when dealing with these investigations and with victims of crime. After consultation with the stake holders it was determined that we would no longer use the Elgin County Sexual Assault Protocol. The Crown Attorney, specifically, made reference to the Protocol's antiquated views of 'crimes against women' and only females being victims of sexual assault (as per the former protocol). Also, again in 2020, policy LE-034 was amended to reflect 'intimate partner violence' instead of the old terminology 'domestic violence'. It also was amended to include the definitions of '2SLGBTQQIA', 'Indigenous', 'Trauma Informed' and 'Victim/Survivor Centered'.

In the ViClas policy, changes were made to include 'electronic submissions' as well. A separate policy was also developed and implemented in 2020 for Human Trafficking investigations. In reference to training for personnel, 2020 posed a significant challenge because of COVID 19. Numerous, if not all conferences and on-going sexual violence investigation courses were cancelled as a result and not re-scheduled.