



INFORMATION BULLETIN

March 2014

Third Party Reporting of Sexual Assault

Third Party Reports are reports sent to a police department by an intermediary community agency on behalf of a victim of sexual assault. The report itself is a questionnaire that gathers information about the crime and suspect and does not include the name or contact information of the victim. A Third Party Report is not meant to lead into an investigation in and of itself; it is solely a means of engaging sexual assault victims who are reluctant to report to police, but who may want to a) access support and b) let the police to know of a potential sexual predator for police intelligence purposes.

Sexual assault is among the most under-reported violent crimes in Canada, with only 10% of sexual assaults reported to police (Sexual Assault In Canada, Statistics Canada 2007, Page 6). For many groups of women, particularly those with a reluctance to trust the justice or other state systems, such as Indigenous women, young women, new immigrants and women in the sex trade, the numbers who report to the police are much lower.

As a strategy to increase women's access to help and support and to provide better police intelligence related to sexual predators in BC, community agencies throughout the province have been creating "Third Party Reporting" protocols with police. The protocols provide an option for victims to report sexual assaults to police anonymously, through third party community agencies. The community agency is most often one that specializes in supporting victims of sexual assault. The community agency accepts information from victims about sexual assaults in their area and passes that information on to the police without disclosing the identity of any victim.

From the police perspective, this anonymous source information enables them to enter the information on their provincial data base, look for and evaluate trends, create profiles of assailants, and/or take other actions such as instituting patrols in the area. From a victim perspective, coming forward to submit a third party report can provide critical access to emotional and other forms of support and as well, provide relief that police have the information even if they do not wish to come forward to police themselves.

The Third Party Reporting protocol is set up in such a way that 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 is operating in the area, 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 talk to police and/or to give a full report always remains with the victim.

Background

The need for a comprehensive Third Party Reporting policy in British Columbia was highlighted after the 2003 arrest of Donald Bakker in Vancouver. In December 2003 screams were heard coming from an area at Crab Park in East Vancouver. Police attended and arrested Bakker, who had been attacking a sex worker. It was later discovered that the gym bag he was carrying contained a video camera and tapes depicting images and video of extreme and degrading violence against women believed to be Downtown Eastside sex workers. The tapes showed 60 victims, some of whom were sex workers and some of whom were child victims in Cambodia. The resulting investigation identified 44 victims and charges were laid in 16 of the cases. This was extraordinary considering there were no complaints to police at the time of the sexual assaults. Bakker was convicted and sentenced to ten years in jail.

The questions that were posed were, “If police had had information about this predator earlier on, could some of these attacks have been prevented?”, and “Did the women who were sexually assaulted know about or have access to the best emotional and other support possible”? The same questions have been asked in the relation to Pickton’s killings of women; many of whom were Indigenous, in the Downtown Eastside of Vancouver. Communities along Highway 16 in Northern BC, where a number of women have been murdered or gone missing have raised the same issues. The 2012 release of ***Forsaken***, the report of the Missing Women Commission of Inquiry which investigated the justice system’s problematic response to the Pickton killings of women, highlights the need to find safe ways to help women access the justice system and other forms of support.

A Province Wide Protocol For British Columbia

In response to the Bakker case in 2003, the Ending Violence Association of BC’s Community Coordination for Women’s Safety program (EVA BC/CCWS) did some community development work with victim serving agencies across BC and agencies working with street involved women in the Downtown Eastside. We discovered at that time that Third Party Reports (TPRs) in cases of adult sexual assault were being done in several communities including Vancouver, Victoria and Prince George. While none of these communities were taking and managing TPRs in the same way, the value of local efforts to forward information to police through TPRs was clear and EVA BC/CCWS began working toward a province wide policy with police.

In 2008, EVA BC/CCWS launched a province wide Third Party Reporting Initiative related to sexual assault of adults. We did this in partnership with the RCMP E Division, the BC Association of Chiefs of Police, the Saanich Police Department, Vancouver Police Department Sex Crimes Unit and the BC Ministry of Public Safety and Solicitor General (now BC Ministry of Justice).

This current provincial protocol offers the opportunity for Third Party Reporting to the police through a Community Based Victim Assistance Program. Community Based Victim Assistance Programs provide services primarily to victims of family and sexual violence; providing information about the justice system, practical help, emotional support and referrals to other appropriate programs. In British Columbia there are also police based victim services programs that provide assistance to victims of all crime types, however they are not able to take Third Party Reports as they must notify police of any crimes and the name of victims reported to them.

March 2014 Update

In 2013 CCWS engaged in a review of the provincial Third Party Reporting protocol. Our goal was to investigate the extent to which TPRs were being taken, as well as protocol implementation successes, challenges and current needs.

We engaged a variety of methods to review the implementation, including reconvening the TPR Work Team that launched the provincial protocol in 2008, facilitating a workshop at the EVA BC Annual Training Forum and conducting an online survey of police agencies and community based victim assistance programs across BC.

We learned that the protocol has been successfully implemented in a number of communities across the province. We also learned that many communities do not yet have a protocol in place or are experiencing challenges in the implementation.

A number of themes emerged from the review so the TPR Work Team is continuing to meet to assess the results of the review and determine what strategies can be used to increase the use and effectiveness of Third Party Reporting of sexual assault in BC. Among the themes that emerged were the need for more training and other forms of education for all service providers, as well as more information for the general public about this option for reporting sexual assault.

CCWS continues to support communities to implement Third Party Reporting protocols, as we strongly believe in the value of this reporting option for survivors and for service providers.

CCWS recently received a request for the most up to date standardized Third Party Reporting forms and protocol from the Prince Rupert Community Based Victim Assistance Program. We forwarded the information and later heard that the result was an excellent outcome for the survivor as well as for the service providers involved. We asked the program to send us an email we could share to describe how the process unfolded as we believe it illustrates the value of Third Party Reporting and the importance of the relationship building that needs to happen with survivors and between service providers.

"I had connected with this client a number of years ago on a different issue and had developed a trusting relationship with this person at that time. During conversations and networking with other local service providers, I would bring up the topic of TPRs and describe what they entail. When my client was sexually assaulted, she was encouraged by her STV counsellor to try to report it and was given different options; TPR being one of them. It took a few months, but the client finally chose to do a TPR. I supported her through the process and when she was done, she relayed that it wasn't as hard as she thought it would be and decided to proceed to make a full statement to the RCMP. It was a method of learning for both myself and the RCMP, and because the protocol laid out by the committee was so detailed, it made the process much easier. Thank you".

*Denise Russell
Community Based Victim Services
Prince Rupert*

The Value of Third Party Reporting

For the survivor, the process of considering a Third Party Report provides the opportunity to connect with a Community Based Victim Services program. The worker can assist with information about how to manage the impact of sexual assault, options for reporting to the police and other critical emotional and practical support. Third Party Reporting is an invaluable tool to give the information to police without the undue stress of worrying about not being believed, being judged, or other concerns such as retaliation from the perpetrator, arrest or deportation. Third Party Reporting 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 perpetrated. Third Party Reporting also provides an opportunity for victims to disclose in a safe way, to receive support, and to engage with the system in a way that may lead to making a formal report.

For the police, Third Party Reporting is a critical tool to gather and track anonymous source information about violent sexual predators. Predators travel so having predator related information entered into an integrated data base system allows all police to track predator movements. There is potential for some of these cases to result in solid leads about violent predators. This in turn, with the full consent of the victim, could result in a what started as a Third Party Report becoming a statement and then a solid case. Without TPRs none of this important information about predators would be coming forward. And finally, TPRs may prevent other sexual assaults by the same perpetrator through identifying trends earlier. They provides additional tools for police to identify trends or predators.

**More comprehensive information and support regarding
Third Party Reporting is available from
Community Coordination for Women's Safety
604-633-2506 ext. 15
ccws@endingviolence.org**