Third Party Reporting Guidebook:
Increasing Reporting Options for Sexual Assault Victims

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Third Party Reporting (TPR) provides a means by which an adult victim (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 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 Victim Services (CBVS) 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 Victim Services (CBVS) 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 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.

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 CBVS pursuant to the TPR will be shared with police, including CBVS legal authority pursuant to the Personal Information Protection Act to disclose client personal information without consent where there are compelling circumstances affecting health and safety, and
• To reinforce the CBVS 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 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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Third Party Reporting: Access to the Criminal Justice System for Marginalized\(^1\) Victims of Sexual Assault

“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.”

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

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 violence offence, police can play a critical role in assessing risk and protecting the victim and other potential victims from further violence. To help police protect potential victims, every effort must be made to encourage reporting of these crimes particularly in high risk cases or cases involving serial offenders or sexual predators.

Third Party Reporting (TPR) of sexual assault is a process which allows adult victims (19 and over) to report details of a sexual offence/assault to police anonymously, through a third party agency. This “Third Party Report” is an option of last resort for victims 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.

Local coordination of the British Columbia protocol for TPR is facilitated by Community-Based Victim Services (CBVS) programs in collaboration with RCMP and Municipal police. CBVS provides services primarily to victims of domestic and sexual violence; providing information about the justice and other systems, practical help, emotional support and referrals to other appropriate programs.

The intent of the BC TPR protocol is not to circumvent the criminal justice system but to build a bridge, better enabling particularly vulnerable victims to access the system. The hope is that the existence of the TPR option may encourage vulnerable women\(^2\) to seek the help of a community-based agency and build a relationship of trust with that agency, rather than remaining invisible to and unsupported by any response system. 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.

\(^1\) The term “marginalized” in this context includes but is not limited to: Indigenous women, immigrant women, women in the sex trade, lesbian, gay and transgendered people, women with disabilities, women with mental health and substance use issues, women in rural and isolated areas, women who live in poverty.

\(^2\) Females and males can be victims of sexual assault, and support from Community Based Victim Services including the TPR option is available to female and male victims. TPR documents use the pronoun “she” to refer to victims to reflect current statistics which show that women are the majority of victims and “he” to refer to offenders to reflect current statistics which show that men are the majority of offenders.
The “anonymous reporting” contemplated by TPR gives victims needed time to decide if and when they are ready to engage the criminal justice system. An anonymous TPR report 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 during court proceedings and to hold more offenders accountable.

**BC Tragedies That Led to the Provincial Protocol**

The need for TPR 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 of extreme and degrading violence against women believed to be Downtown Eastside sex-workers. The tapes showed 60 victims, some of whom were sex trade workers and some who 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 assaults. Bakker was convicted and sentenced to ten years in jail.

The question that has been posed is, “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 question can be asked in the case of Robert Pickton and the case of the murdered and missing women from communities along Highway 16 in Northern BC. The 2012 release of the *Forsaken* report highlights the need to find safe ways to help women access the justice system. The *Forsaken* report was the result of the Missing Women Commission of Inquiry which investigated the justice system’s problematic response to the Pickton killings of women, many of whom were Indigenous, in the Downtown Eastside of Vancouver. The Inquiry also undertook consultations in communities along Highway 16 from Prince Rupert to Prince George regarding the disappearances and deaths of women and girls from these communities.

**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 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 (CCWS) 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 with revisions approved by the BC Association of Chiefs of Police in November 2014. CCWS developed this 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 who are 19 years of age and older. Community-Based Victim Services (CBVS) are the protocol partners who complete the Third Party Reports with victims. Any program or individual can support a survivor to connect with a CBVS, where she will connect with a responder trained to support her and also to assist her to assess all of her reporting options. These include: full report, information only report, third party report, or no report. CBVS will also provide the victim with critical support that is essential to help her heal from trauma. CBVS 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 particularly discriminated against.

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 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 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 2009 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 to report. Minimal intervention 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 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 or 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 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 the vulnerable women.

The Value of Third Party Reporting

For the Victim

For the victim, 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 needed time to decide if and when they are ready to engage the criminal justice system
- Provides an opportunity for victims 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, 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 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 onto 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 predators
- 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 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 CBVS includes supporting victims of power-based crime including sexual assault. CBVS workers help victims consider their options regarding reporting to the police. Beginning in June 2008, CBVS 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 CBVS programs.

Tools and Resources

- Detailed CBVS guidelines for processing TPRs are set out in the May 2015 Third Party Reporting Community-Based Victim Services 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, CBVS and police need to negotiate local agreements incorporating the steps and procedures contained in the Police and CBVS 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 604 633-2506 ext 15.
Referring Agencies

- Any program or individual can support a victim to connect with a CBVS program which will assist her with next steps regarding the TPR process.

- If an adult victim of a sexual offence attends or contacts another program, she should be referred to the nearest CBVS 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 CBVS is in another community.

- If there is no CBVS program in your community, the victim should be referred to the Stopping the Violence Counsellor, where they exist, for ongoing counselling.

Key Implementation Principles

Making a police report can be a potentially traumatic experience: as she completes a statement, the victim may experience a “reliving” of the violent incident. It is vital that victims receive support and followup during this time and this need is built into the Provincial TPR Protocol which currently directs that CBVS 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 who otherwise would not report to the police

- That CBVS 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 CBVS and other agencies in the community make efforts to ensure that the Third Party 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 police 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.

Connecting with CBVS

Contact information for the closest CBVS program is available on the EVA BC website at www.endingviolence.org or by calling VictimLink at 1 800 563-0808.

Unfortunately, at this time there are communities in British Columbia without CBVS programs. In some of these communities Stopping the Violence Counsellors, Outreach Workers and other community based anti-violence programs are playing an important role in helping victims access the CBVS program in the nearest community.
REFERENCES


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

THIRD PARTY REPORTING
COMMUNITY-BASED VICTIM SERVICES PROTOCOL GUIDELINES
(Revised May 2015)

Note: The following are only guidelines for Community-Based Victim Services Programs (CBVS) 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 CBVS 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).¹ 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 Justice². The CCWS Work Team revised these CBVS Protocol Guidelines in October 2014 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 and other potential victims from further violence. To help police better protect potential victims, 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 to report details of a sexual offence/assault to police anonymously, through a third party agency. This “Third Party Report” is an option of last resort for 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 to access the system. The hope is that with specialized support, vulnerable victims will feel safe enough to ultimately make a police report. Even the simple knowledge that a third party reporting option exists may encourage vulnerable women to seek the help of a community based

¹Then the BC Association of Specialized Victim Assistance and Counselling Programs
²Then the BC Ministry of Public Safety and Solicitor General
agency and build a relationship of trust with that agency, rather than remaining invisible to any response system.

CBVS programs provide services primarily to victims 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 needed time to decide if and when they are ready to engage the criminal justice system. An anonymous TPR report 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 during court proceedings and to hold more offenders accountable.

THIRD PARTY REPORTING PROTOCOL

TPR Preparation by CBVS:
- An adult\(^3\) victim (age 19 and over) of a sexual offence may attend any CBVS Agency in BC and complete a TPR.
- Any program or individual can support a victim to connect with a CBVS 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 of all crime types. They are not able to take TPRs as they must notify police of any crimes and the name of victims reported to them. PBVS are also not able to house TPR victim contact information confidentially, as police may on occasion access PBVS files.
- If an adult victim of a sexual offence attends or contacts PBVS and requests to complete a TPR, the PBVS will provide the victim with information about the TPR process and will refer the victim to the nearest CBVS agency.
- Prior to considering TPR as an option, CBVS will outline the process and benefits of reporting to police and will explore all other options regarding reporting with the victim, (including full report, information only report\(^4\), TPR and no report) as well as the reasons for reluctance to engage in a full report.
- CBVS will inform the victim 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

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\(^3\) If the victim was under 19 at the time of the offence, they would still be able to report via a TPR once they reach age 19.

\(^4\) An “information only” report means the victim gives the information directly to police without the involvement of CBVS, 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.
be lost. If there is an expectation of an investigation and/or charges being laid, the victim should be supported in making a full police report through regular channels.

- TPR should not be used in circumstances where the victim 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. CBVS 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 as appropriate, CBVS programs complete the TPR with the sexual offence victim.
- The CBVS worker meets with the victim with a focus on providing information and support.
- The victim is given the TPR Questionnaire to fill out with the information that she is comfortable providing.
- The CBVS worker ensures that the victim consents to the TPR process and understands the limits to confidentiality of the information she provides as part of that process. The victim should be advised that personal information in the TPR and/or her identity may be disclosed by CBVS 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 CBVS program in accordance with agency policy, in such a way that the client’s contact information can only be accessed by 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. The form should be either hand delivered or sent to the appropriate police department via registered mail – to ensure continuity of evidence.
- The CBVS worker makes every effort to ensure that support continues and that the victim 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 CBVS forward a completed questionnaire to police, Police notify the CBVS 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 is not jeopardized through any inquires conducted.
- Police update CBVS regarding further actions such as transferring information to other police agencies if the crime occurred elsewhere.
• If it is determined that there is investigational viability, police will contact CBVS and advise them that police would like to speak with the victim. The agency will act as an intermediary and will advise police if the victim is willing to speak to the police directly.

**Police contact with the victim:**

• Contact with police remains the decision of the victim 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 or people or risk to a child.

• At initial intake, CBVS will already have informed the victim about the TPR process generally and of the 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, police contact the CBVS worker to follow up.

• The CBVS worker then contacts the victim to speak with her about the police information or request. Generally, where a TPR has been made, the CBVS 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 and permission is given by the victim, 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 in the public interest, for CBVS 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 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 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 Public 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 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 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 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 a reluctant victim and provides a way for the victim to pass on information about a crime to police, while at the same time remaining anonymous.
Third Party Reporting Protocol:

TPR Preparation by Community-based Victim Assistance Agency:
- An adult victim of a sexual offence may attend any Community-based Victim Assistance Agency in BC and complete a Third Party Report.
- The Community-based Victim Assistance 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 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.

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

Police TPR Preliminary Assessment:
- Upon 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 agency of jurisdiction and notify the originating community-based victim assistance 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 is not jeopardized through any enquiries conducted.
- If it is determined that there is investigative viability, contact the community-based victim assistance agency. Provide the agency with the TPR's tracking number and advise them that police would like to speak with the victim. 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 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 community-based victim assistance agency so that they
can notify the victim.
• Always provide the community-based victim assistance agency with the police
file occurrence number, so that they or the victim 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 that s/he
protects the identity of the victim.
• The follow up investigator will contact the community-based victim assistance
agency to request to speak with the victim.

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 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
victim assistance agency and will include their tracking number to ensure cross-
referencing between the 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 community-based victim assistance 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 through the community-based victim
assistance program. The police will provide the community-based victim
assistance program with the TPR tracking number so the community-based
victim assistance program can locate the victim’s personal and contact
information. The community-based victim assistance program will act as the
intermediary, until the victim consents to speak with police.
• Contact with police will remain the decision of the victim, 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 should not preclude vigorous efforts to obtain other evidence.

• 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 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

Local Interagency Third Party Reporting Protocol

Name of community

Third Party Reporting (TPR) is a process that allows adult victims 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 alternatives have been explored.

Agencies Involved

<table>
<thead>
<tr>
<th>Agency Name</th>
<th>Contact Information</th>
</tr>
</thead>
<tbody>
<tr>
<td>RCMP or Municipal Police - Designated Officer</td>
<td></td>
</tr>
<tr>
<td>Community Based Victim Services - Manager</td>
<td></td>
</tr>
<tr>
<td>Police Based Victim Services - Manager</td>
<td></td>
</tr>
</tbody>
</table>

We Will Be Responsible for:

RCMP:
What services will your agency provide related to Third Party Reporting?

1 Contact with police remains the decision of the victim 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.
Community-Based Victim Services:
What services will your agency provide related to Third Party Reporting?

________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________________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Appendix D

Third Party Report Cover Sheet
*To be retained by Community-Based Victim Service Program

** Contents provided by CCWS for information purposes. Please contact the CCWS program for electronic copies of the form for use in completing Third Party Reports.  ccws@endingviolence.org  604 633-2506 ext 15

File Number: ______________ Date: ______________________________

Contact Information:

Name: ____________________________________________________________

Date of Birth: _____________ Phone Numbers: ________________________

Address: ____________________________

Next of Kin / Emergency Contact: ___________________________________

INFORMATION ABOUT THIRD PARTY REPORTING
(Please read out loud to client)

What are TPR’s?
Third Party Reports (TPR’s) are reports sent to the police agency by an intermediate agency on your behalf. A TPR is to be used in circumstances where you, as the victim, want to provide information to police, but wish to remain anonymous. What makes this reporting different from other types of reporting is that the advocate agency has the capability of making contact with you again in the future.

In the event that the police agency wishes to contact you to obtain more information, our organization can contact you and ask your consent. If you consent, we can either pass your contact information along to the police, or you can contact the police yourself and talk to the assigned officer.

ISSUES TO CONSIDER
The information that you provide to this community-based victim services program is being collected on your behalf in confidence for the purpose of making an anonymous third-party report to police.

This TPR is not a substitute for a 911 call. The police agency uses TPR’s for general information purposes only. If you have an expectation that police enter a full investigation and request charges, you must make a formal complaint.
The TPR should not be used in circumstances where you or anyone else is in imminent danger from the suspect. As well, TPR's should not be used when the abuse involves current harm to a child. If you find that the circumstances involve the above, it is advised you contact the police directly.

PRIVACY AND STORAGE OF INFORMATION
The information that you provide in this TPR is provided and collected in confidence for police investigation purposes. Your decision to provide information in this third party report is voluntary. The police agency will make every effort to ensure that the personal information in this document is protected from disclosure to unauthorized persons/agencies under the Access to Information Act and the Privacy Act and/or the Freedom of Information and Protection of Privacy Act. The police agency may disclose information in this TPR to other law enforcement agencies for preliminary investigative purposes or to the Ministry of Children and Families for child protection purposes. The information collected in this TPR will be stored in RCMP Personal Information Bank number CMP PPU 005 ("Operational Case Records") or within their agency database for municipal police departments.

The community-based victim services program will assign a confidential file number to the TPR form before forwarding it to police. All TPRs will be forwarded to police without your name or address attached. The community based agency will store the cover sheet containing your identifying information in accordance with its agency privacy policy in such a way that your contact information can only be accessed by using the confidential file number.

Please note that personal information in this report and/or your identity may be disclosed without your consent where very serious circumstances warrant police 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.

INSTRUCTIONS
The TPR is essentially a police statement and should be done using your own words as much as possible. For this reason, please follow these instructions:

1) Fill out the form yourself,

2) If you are unable, please dictate the answers to the questions to your agency worker. The worker will write out your answers exactly as you say them. Once the report is done, the worker will read the report back to you to ensure it is accurate. The worker will not discuss, lead, or coach you while you are giving your answers to the questions,

3) Feel free to stop this process at any time if you have questions or concerns, the worker will do her/his best to address them.
THANK YOU
The TPR process all comes down to people helping people. Without this type of partnership between you, this community agency, and the police, information vital to community safety would be lost. Thank you for taking the time and effort to send in this report.

I have read and understand the above________________________________________
(Signature of victim making Third Party Report)

Witness ______________________________________
(Signature of Agency Worker)

Date ________________________________

For Agency Use Only

Date sent to police ________________________________

Name of Detachment/Department __________________________________

Date confirmation of receipt by police_______________________

Police file # ____________________________
Appendix E

Third Party Report Form

** Contents provided by CCWS for information purposes. Please contact the CCWS program for electronic copies of the form for use in completing Third Party Reports. ccws@endingviolence.org 604 633-2506 ext 15

RCMP: Before proceeding with this, please refer to E Division Operational Manual Part 2 2.1.2 (Third Party Reporting). Municipal departments: please consult your applicable policy section regarding Third Party Reporting.

Submitted by: ________________________________
(Agency and Worker)

Agency File Number ___________________

Date: ________________________________

Was this form filled out by the victim? □ Yes □ No

If not, by whom? __________________________________________

INCIDENT INFORMATION
In the following section, information about the incident will be gathered. To assist with this, questions will be asked regarding the incident. You are free to skip any questions you do not wish to answer. Also feel free to continue your answer on the back of this sheet or another piece of paper. At the end of this section there will be space for you to add anything you feel is important that has not come out through these questions.

1. VICTIM INFORMATION
Only answer those questions with which you feel comfortable.

Your Age: ____________________________ Gender: ____________________________
Your Race: ___________________________ Height: _____________________________
Your Weight: _________________________ Build: _____________________________
Hair Colour: ________________________ Hair Length: ________________________
Hair Type: __________________________ Eye Colour _________________________
Clothing you were wearing at the time of the incident:

______________________________________________________________
Your Occupation: ________________________________________________

Why don’t you wish to report to the police at this time?

__________________________________________________________________________

2. **OFFENCE INFORMATION** (If you have been assaulted by more than one person, please use separate forms for each one)

   Date: ____________________________  Day: ____________________________

   Time: ____________________________  Location: ____________________________

   Approximate time length of assault: ____________________________

   Was the assailant known to you? ____________________________

3. What were you doing prior to the assailant making contact with you?

4. How did the assailant approach you?

5. How did the assailant gain and maintain control over you?

6. Were you able to resist and how? What was the reaction or behaviour of the assailant to your resistance? Please describe.

7. Were you injured? Please describe.

8. Was the assailant injured? Please describe.
9. Were any of the following attempted or performed?
   ☐ Vaginal intercourse?
   ☐ Oral sex?
   ☐ Anal intercourse?
   ☐ Masturbate assailant?
   ☐ Hand vaginal contact?
   ☐ Other (please describe) ________________________________

10. As precisely as possible, try to remember what the assailant said to you. Describe anything about the tone of voice and his/her attitude at the time s/he spoke that you particularly remember.

11. Did the assailant’s attitude at any point in time during the assault appear to change? In what manner did it change, and what occurred immediate prior to the change?

12. Was anyone else present during the assault or in a position to observe it? If yes, who and where were they?

13. Does the assailant have any of your belongings?

14. How did the contact between you and the assailant end?

15. Did you see a doctor or nurse for medical attention as a result of the assault? If so, where did you go, what doctor or nurse did you see and when did you attend there? Did the doctor or nurse examine you physically? Did he or she take any samples during the examination?

16. Had you or the assailant consumed drugs or alcohol prior to the assault? If so, what substances were consumed by each of you?
17. Is there anything else about what happened that you would like to add?


18. **ASSAILANT INFORMATION**

Did you know the assailant?

Yes ☐  No ☐

**KNOWN ASSAILANT**

Name: 

Alias: 

Address: 

Occupation: 

Contact information 

How do you know him/her?


19. **ASSAILANT DESCRIPTION**

Have you ever seen the assailant before? If so, when and under what circumstances?

Have you been assaulted, either physically or sexually, by the assailant before?

**GENDER:**

- [ ] Male
- [ ] Female
- [ ] Transgender
- [ ] Unknown

**RACE:**

- [ ] Asian/Oriental
- [ ] Black
- [ ] Caucasian
- [ ] Hispanic
- [ ] Aboriginal
- [ ] Other (describe) ____________
BUILD: 

☐ Small (thin) ☐ Medium (average) ☐ Large (stocky) ☐ Obese
☐ Up to 140 lbs (64 kg) ☐ 141 to 165 lbs (65 to 75 kgs) ☐ 166 to 180 lbs (76 to 82 kgs) ☐ 181 to 220 lbs (83 to 100 kgs)
☐ 221 lbs and above (100 kgs)

WEIGHT:

HEIGHT:
Best estimate: ____________

AGE OF THE ASSAILANT:
Best estimate: ____________

HAIR COLOUR:
☐ Black
☐ Blonde
☐ Brown
☐ Grey and/or White
☐ Red
☐ Dyed ____________
☐ Other ____________

HAIR LENGTH:
☐ Bald and/or shaved
☐ Ear length
☐ Collar length
☐ Shoulder length

HAIR TYPE:
☐ Straight
☐ Wavy
☐ Curly
☐ Styled
☐ Balding
☐ Wig/toupee

FACIAL HAIR:
☐ Clean shaven
☐ Moustache
☐ Beard
☐ Goatee
☐ Sideburns
☐ Unshaven
☐ Eyebrows (describe) ____________

EYE COLOUR:
☐ Black
☐ Blue
☐ Brown
☐ Green
☐ Grey
☐ Hazel
☐ Other ____________

TEETH:
☐ Good
☐ Missing
☐ Chipped
☐ Discoloured
☐ False
☐ Braces
☐ Other ____________
SPEECH:

☐ Normal
☐ Slurred

OTHER DESCRIPTORS:

☐ Jewelry (describe) ______________________
☐ Lisp/stutter ________________________________
☐ Accent (describe) __________________________
☐ Tattoos (describe) _________________________
  (location) _________________________________

Any noticeable physical disabilities (describe)

________________________________________________________________________

Any noticeable odours (describe)

________________________________________________________________________

Any noticeable scars (describe)

________________________________________________________________________

20. VEHICLE INFORMATION:

VEHICLE STYLE:
☐ Passenger vehicle
☐ Truck/Commercial
☐ Pick up truck
☐ Van
☐ Recreational vehicle/camper
☐ Sport utility vehicle
☐ Motorcycle

TYPE:
☐ 2 Door
☐ 4 Door

Make of vehicle: _________________________________
Model: _________________________________
Vehicle plate: ___________________ Province/State: ___________
Age of vehicle: _____ newer (1-7 yrs) _____ older (8+ yrs)
THE VEHICLE CONDITION IS DESCRIBED AS:
☐ Good
☐ Fair
☐ Poor/beaten up
☐ Colour __________________

THE VEHICLE INTERIOR CONDITION IS DESCRIBED AS:
☐ Clean
☐ Dirty
☐ Cluttered
☐ Colour ________________
☐ Other __________________________

DESCRIBE ANY DISTINCTIVE FEATURES OF THIS VEHICLE; INSIDE AND OUT:

_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________
_____________________________________________________________________