



INFORMATION BULLETIN

THIRD PARTY REPORTING FOR SURVIVORS UNDER AGE 19

February 2017

BACKGROUND

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 provide information to police. A Third Party Report is not a substitute for a 911 call nor is it, in and of itself a police investigation.

In 2008 a province-wide Third Party Reporting Protocol for sexual offences was launched by CCWS/EVA BC in collaboration with the BC Association of Chiefs of Police and the Ministry of Public Safety and Solicitor General. Existing RCMP E Division Policy supports TPR as do some municipal police policies. The TPR Protocol was updated and once again approved by the BC Association of Chiefs of Police in 2014.

TPR FOR UNDER 19s

While the BC TPR Protocol is intentionally focussed on adults aged 19 and over, it does not preclude consideration of the possibility of TPR in exceptional cases for younger survivors. TPR for survivors under 19 is possible, but the process needs to be worked out at the local level between Community-Based Victim Services (CBVS) and police on a case-by-case discretionary basis.

There are a number of factors that need to be taken into account in exercising this discretion. Firstly, CBVS and police must satisfy themselves that there are no child protection concerns involved which would require a report to the Ministry of Children and Family Development. Section 13 of the *Child, Family & Community Service Act* lists the circumstances in which a child needs protection. This would include circumstances in which the child has been or is likely to be:

- sexually abused or exploited by the child's parent;
- physically harmed, sexually abused or sexually exploited by another person and if the child's parent is unwilling or unable to protect the child.

In addition to addressing potential child protection concerns, CBVS and police considering TPR for under 19s must:

- determine whether the child/youth (anyone under age 19) is a mature minor capable of making their own decisions about the privacy of the information they provide without the parents or guardians having to be notified;
- make a preliminary assessment as to the physical and mental wellbeing of the child;
- determine whether or not other children would be endangered by not proceeding with a full investigation.

These complex variables could not adequately be addressed through the generic Third Party Reporting Protocol which applies to adult victims. Therefore a cautious case-by-case approach is recommended.

The Third Party Reporting option could be presented to child/youth (anyone under 19) in specific cases provided local agreements are developed between police and CBVS to review the circumstances on a case-by-case basis and determine whether it would be appropriate. Support with this is available through CCWS, including liaison with police resources within municipal policing and RCMP.

The BC Third Party Reporting Protocol which applies to adult survivors can be accessed on the EVA BC website at: <http://endingviolence.org/wp-content/uploads/2015/11/TPR-Guidebook-November-12-2015.pdf>.

To contact CCWS, email or phone the EVA Office at: ccws@endingviolence.org