

Being Heard: Police Response and Support for Older Victims of Sexual Assault



CANADIAN NETWORK *for*
the PREVENTION of ELDER ABUSE

Presenters

Laura Proctor- Consultant, Elder Abuse Prevention Ontario

Detective Staff Sergeant Tracey Bednarczyk, Ontario Provincial Police

Detective Inspector Karen Arney, Ontario Provincial Police



November 21, 2019

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There will be a 15 mins Q&A
at the end of the presentation.

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presentation. We will go through them **at the end**.

Can't stay until the end? This webinar will be recorded and
will be posted on cnpea.ca later today.

Thank you!



Acknowledgement

I would like to begin by acknowledging that the land on which I live and work is the unceded territory of the Coast Salish Peoples, including the territories of the x^wməθkwəy̓əm (Musqueam), Skwxwú7mesh (Squamish), and Səlílwətaʔ/Selilwítlh (Tsleil-Waututh) Nations.

Increasing Access to Justice for Older Adult Victims of Sexual Assault: A Capacity Building Approach

This webinar is part of CNPEA's project

Increasing Access to Justice for Older Adult Victims of Sexual Assault: A Capacity Building Approach

funded by the [Justice Canada Victims Fund](#).

For more details, please [visit our project page](#) at www.cnpea.ca





Laura Proctor is currently the Central East, Regional Elder Abuse Consultant for Elder Abuse Ontario.

Laura has worked in the field of elder abuse/Victim Services for over 15 years. In her current position, she provides front-line training and public education, collaborates with local, provincial and national stakeholders to enhance the response to elder abuse. Laura consults with seniors, families, and agencies on elder abuse cases. Laura previously worked for Victim Services and was a member of the Edmonton Elder Abuse Intervention Team, providing direct intervention and supports to victims of Elder Abuse in collaboration with Edmonton Police Services.

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Your Presenters

Laura Proctor
EAPO



Detective Staff Sergeant Tracey Bednarczyk has been 18 years with the Ontario Provincial Police, and is currently Central Region lead for the Victim Response Support Unit, working to add value to sexual assault investigations through oversight, victim support, and working with community agencies who support victims/survivors of sexual assault.

[Email](#) or 705-330-3721 Ext. 2721

Your Presenters

**Tracey Bednarczyk
Detective Staff Sergeant
OPP**



Detective Inspector Karen Arney has been a member of the Ontario Provincial Police since 1992 and is currently the manager of the O.P.P. Victim Response Support Unit. This unit provides support and expertise for sexual assault investigations throughout the province. She has held positions in sexual assault/abuse issues/ crime units and was a member of the Major Investigation Support team along with various other investigative units throughout her career. In 2007, she was trained and certified as a Criminal Profiler. She then became the Manager of the Criminal Behaviour Analysis Unit until she was promoted to Inspector in 2016.

Your Presenters

**Karen Arney
Detective Inspector
OPP**



WHAT IS SEXUAL

Sexual Assault Defined:

An assault of a sexual nature that violates the sexual integrity of the victim. The Supreme Court of Canada held that the act of sexual assault does not depend solely on contact with any specific part of the human anatomy but rather the act of a sexual nature that violates the sexual integrity of the victim.

When investigating a sexual assault, there are certain relevant factors to consider:

- The part of the body touched
- The nature of the contact
- The situation in which the contact occurred
- The words and gestures accompanying the act
- All other circumstances surrounding the act
- Any threats that may or may not be accompanied by force

The *victim* of the sexual assault can be man or woman and the *attacker* can be of the *same sex* as the victim.

A spouse may be charged with sexual assault upon the other spouse.



Prevalence- Elder Abuse



There are between
40,000 to 200,000
seniors who have
experienced or are experiencing
elder abuse.



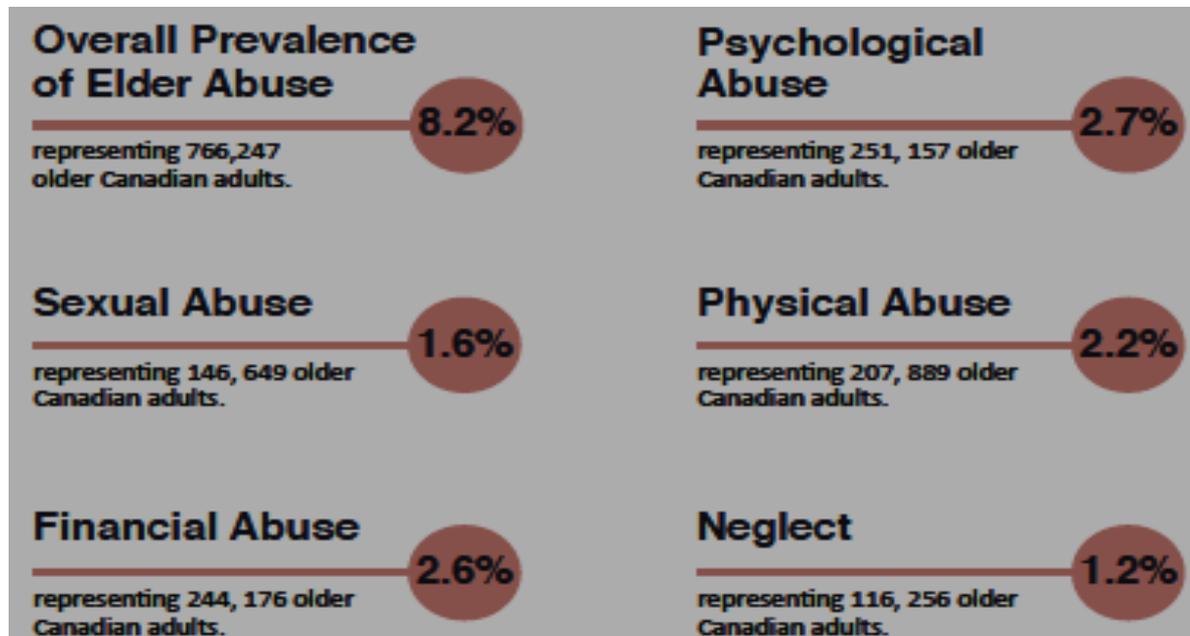
Elder abuse is a hidden problem.

1 in 6 older adults worldwide
have been abused in the past year.



Prevalence- Sexual Assaults

Sexual assaults go unreported to authorities typically if perpetrated by a spouse or family member
sexual violence against older people is likely to be much higher than is currently known





BARRIERS IN REPORTING

Often seniors are reluctant to report abuse to the police or other authorities. The following is a list of reasons that create barriers in reporting:

- **Fear of retaliation** – afraid of what the abuser will do to them if they report the abuse
- **Dependence on the**- abuser food, shelter, clothing, and health care
- **Afraid** they will be put in an institution, such as a Long-Term Home
- **Embarrassment** from telling anyone that a family member or caregiver is harming them
- **Feelings of hopelessness and powerlessness** especially when the abuser is very controlling
- **Inability to communicate** due to language barrier or health/illness such as dementia
- **Believe** the police and/or social agencies cannot help them
- **Lack of understanding** of their legal and human rights or the justice system
- **Unaware** that abuse is occurring in their lives or within their environment
- **Not familiar** with who or where to make a report



Risk Factors

Risk Factors for Abusers

Past history of family violence

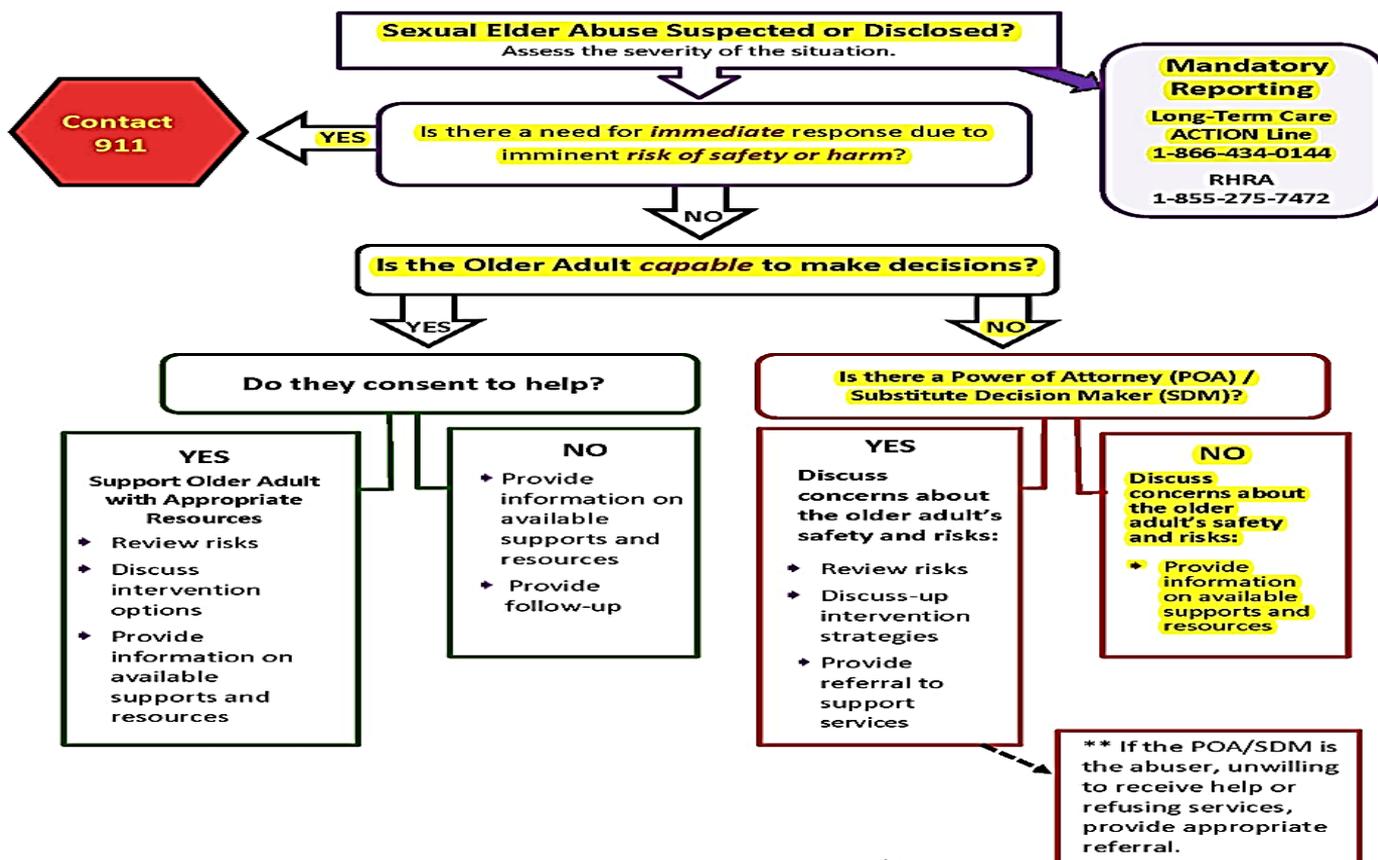
- Mental health issues
- Caregiver burden
- Dependence on the victim
- Substance misuse
- Problems with stress and coping
- Current relationship problems

Risk Factors for Older Adults

- Past history of family violence or experienced sexual abuse, prior to the age of 60
- Suffer cognitive impairment/dementia
- Mental health issues
- Physical frailty or mobility difficulties
- Dependence on the perpetrator for care
- Live alone or in isolation
- Substance misuse
- Problems with stress and coping
- Current relationship problems
- Older adults who are immigrants/newcomers to Canada



Sexual Abuse Decision Tree



Being Heard: Sexual Violence Response & Support for Vulnerable Persons

Today's Presented Topics

- ❖ Overview of the OPP's Review and Establishment of the Victim Response Support Unit (VRSU)

Detective Inspector Karen Arney
Ontario Provincial Police
Victim Response Support Unit Manager



- ❖ From Investigation to the Court Room - How do police respond to reports of sexual violence involving a vulnerable person?

Detective Staff Sergeant Tracey Bednarczyk
Ontario Provincial Police
Victim Response Support Regional Lead



Background

OPP Sexual Assault Data Classification and Investigative Review

In February 2017, the OPP launched an internal review of sexual assault cases closed by police as unfounded between the years 2010 and 2016.

Objectives:

1. to review unfounded cases for accuracy of classification between 2010 and 2016
2. to determine what actions, if any, regarding the past classifications or investigative practices were needed

The review presented an opportunity to look more closely at emerging investigative advances, new training opportunities and areas for increased collaboration with other community service partners to improve support for victims.



Victim Response Support Unit

- 1 Unit Commander (Detective Inspector)
- 5 Regional Leads (Detective Staff Sergeant)
- 1 Research Analyst

Each detachment has assigned one Detective to assume the Victim Response Liaison Officer (VRLO) role along with their crime unit duties

Provide consultation and guidance regarding sexual assault investigations to ensure the most current investigative practices are utilized in order to support sexual assault victims



Background

Victim Response Support Strategy

To take actions to improve the response to and support for sexual assault victims

Three Pillars:

- Victim Support - providing more resources and training to OPP investigators, and creating new roles and functions to strengthen victim support
- Investigative Excellence - effective policies, standard operating procedures, current technology and accurate data are important to consistent, informed, thorough investigations
- Oversight - additional accountability measures and mechanisms to oversee and provide input into OPP sexual assault investigations, and strengthen relationships with partner organizations in support of victims

The Victim Response Support Unit (VRSU) was created to implement the Victim Response Support Strategy.



Victim Response Support Unit

Victim Support

- Providing support to victims and survivors
- Educating officers on victim-centered, trauma-informed practices
 - A victim-centered approach involves a focus on the needs and concerns of the victim, to ensure that investigations are not compromised by judgments an investigator makes about a victim, and that victims are treated in a manner that accounts for the unique traumatic effects of sexual assault.
 - The VRSU has held workshops throughout the province to educate OPP officers on the importance of a victim-centered approach to sexual assault investigations
- External educational initiatives
 - Working with community service agencies to participate in joint training and awareness initiatives



Victim Response Support Unit

Investigative Excellence

- Investigative support
 - leading, assisting, auditing and reviewing sexual assault investigations
- Internal investigations and consultations across the organization



Victim Response Support Unit

Oversight and Accountability

- 5 Regional Collaborative Review Committees
 - Monthly meetings in each region
 - Committees are comprised of various community stakeholders, including but not limited to; Sexual Assault advocates, Victim Service agencies, Elder Abuse Ontario, Indigenous social services, Mental Health agencies, Victim Witness advocates and the Children's Aid Society (CAS)
- Statistical analysis, monthly reporting
- Policy and procedure best practices
 - Sexual Assault Investigation policy and Field Guide re-write is currently entering the approval process



How do police respond to reports of sexual violence involving a vulnerable person?



Initial - Uniform Response

- Uniform officers are the first responders
- Increased training and awareness on the effects of trauma
- Active Listening
- Mindful of evidence collection (getting it fast vs. best evidence/practice)

CRIMINAL

- Referral to trained investigator in sexual assaults
- Referral to Victim Services
- Engagement with staff (if in a home) or care persons (consent of victim)

NON-CRIMINAL

- Referral to Victim Services for Community Supports
- Engagement with staff or care persons
- Engagement with medical professionals





Investigator Considerations

- Trauma awareness
- Ageism awareness
- CJS & family supports engaged to help navigate process
- Respecting the Rights (Victim Bill of Rights)
- Lasting Solution – CJS may not be the right choice



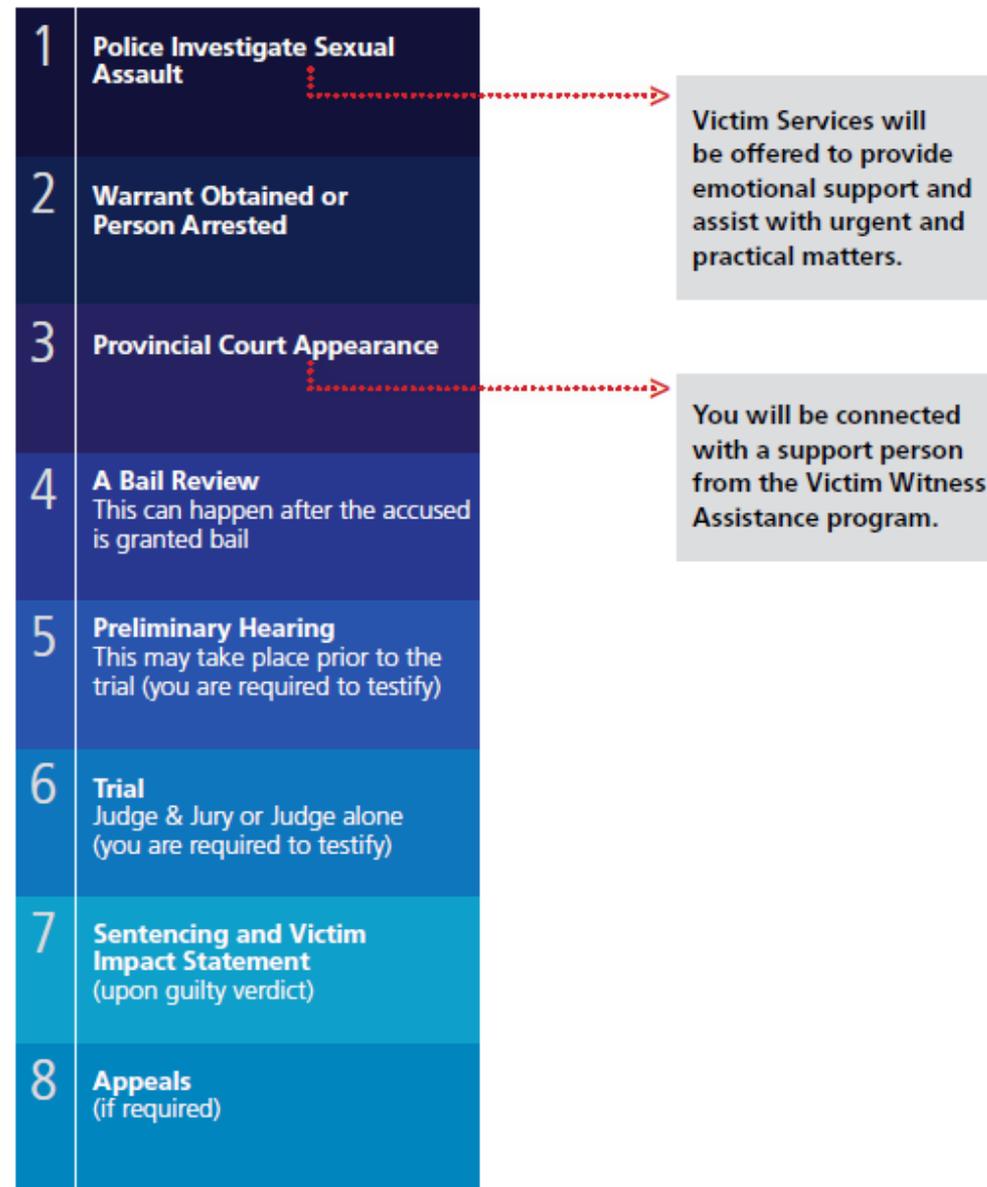


Interview Considerations

- Cognitive Awareness
- Communication Intermediary
- Recording options
- Transparency, and informed process
- Respect

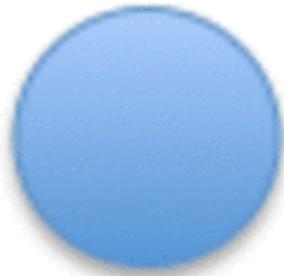


The Criminal Justice Process



Any Questions.....

Put your finger



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grazzi THANK YOU dank je
GRAZIE
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