

Information bulletin

June 2016

Victim Services and Crime Prevention

Victim Services and
Crime Prevention
Community Safety and
Crime Prevention Branch
Ministry of Public Safety and
Solicitor General



Focus on Sexual Violence

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Message from the Executive Director



The focus of this Information Bulletin is sexual violence. Recent high profile cases have increased current media attention on sexual assault—however sexual violence is not a new issue—it is a historical and worldwide problem, with an estimated one in three women experiencing physical or sexual violence in their lifetimes.¹ In 2014, there were an estimated 70,000 incidents of sexual assault in B.C.²

Data suggests that 88% of sexual assaults experienced by Canadians aged 15 years and older are not reported to police.³ There are a variety of reasons victims may not report a sexual offence, including a concern they will not be believed, and reluctance to engage with the criminal justice system. Furthermore, many victims who do report sexual violence indicate that they had a negative experience with the criminal justice system.

While the prevalence and challenges in responding to sexual assault may be daunting, there is incredible work being done around the province.

This edition of the Information Bulletin includes:

- a program spotlight on the Rape Crisis

- Centre, a program operated by Women Against Violence Against Women (WAWAW), which has assisted survivors of sexual assault since 1982 (page 2);
- practice tips for working with survivors of drug facilitated sexual assault (page 4);
- information about our upcoming free webinar on third party reporting of sexual assault (page 4);
- a case review from the Office to Combat Trafficking in Persons on sexual violence as a means of control of trafficked persons (page 5);
- legislative update on Bill 23 (post-secondary policies on sexual violence) (page 2);
- a description of testimonial aids and accommodations available to

- victims of sexual assault (page 3);
- information about forensic exams for victims who have not reported to police (page 5); and
- a Shining Star profile on Ashley Bentley (AMS Sexual Assault Support Centre) (page 6).

One aspect of effectively responding to sexual violence is improving victims' experience with the criminal justice system. Potential areas for action include training, policy development and coordination of services and supports. We welcome your thoughts on these important issues and feel free to contact me directly with your comments and feedback at taryn.walsh@gov.bc.ca.

Taryn Walsh
Executive Director

1. *Intimate Partner and Sexual Violence Against Women*, World Health Organization, 2016.

2. *2014 General Social Survey on Victimization*

3. *Criminal victimization in Canada, 2009*

Program Spotlight: WAVAW Rape Crisis Centre

Women Against Violence Against Women (WAVAW) Rape Crisis Centre has been assisting women survivors of sexual assault since 1982. WAVAW provides an extensive array of services for survivors including a 24 hour crisis line, hospital accompaniment, support groups, counselling, victim services, programs for Aboriginal women, and others. All services are free and confidential.

“We really start from holding women at the centre of all of the work that we do, which includes meeting women where they are at emotionally, spiritually, psychologically, and we really dream with women about what their healing journey is going to look like,” says Dalya Israel, Manager of Victim Services and Outreach. “What we try to do is to really delve into what justice might look like specifically for that woman.”

Exploring what justice might look like for a woman may involve drawing on aspects of her culture or spirituality to help support her healing. For example, Israel had a First Nations client with a strong connection to her traditional spiritual practices. Israel was able to arrange with Crown counsel to allow the woman to have an eagle feather with her during the trial. The addition of the eagle feather had profound effects on the woman during her testimony in terms of making her feel more confident and grounded because she felt connected to something greater.

An important aspect of WAVAW’s work is educating survivors about the common myths associated with sexual assault and the role that sexism plays in placing the responsibility for the assault on the survivor. This helps women to think critically about statements made to discount their version of events related to the assault, particularly in court.

“We’re socialized in our culture to think that it is women who are responsible for preventing the assault,” says Israel. She describes how one of her clients during



a trial was being cross examined by the defence counsel about sexual consent. Defence put forward the argument that consent is fluid and that a person could eventually consent if asked repeatedly. Israel’s client responded that consent could also be revoked and added, “If I made my friend a sandwich and they didn’t want it, I wouldn’t shove it down their throat.”

WAVAW has a partnership with BC Women’s Hospital, which runs the Sexual Assault Service out of Vancouver General Hospital (VGH). WAVAW’s services are offered to every woman-identified survivor of sexual assault that arrives at VGH or who seeks help from the Sexual Assault Service. A WAVAW worker can accompany and provide support to the survivor during a pelvic exam, after the exam if she needs referrals or assistance, and also be with her if she decides to report to the police or provide forensic evidence.

“The Sexual Assault Service is really what I call the Cadillac of essential services of post-sexual assault health care,” says Israel. “It allows women to get back in touch with their bodies and also to be in an autonomous position over their bodies. They’re offered a menu of different options and part of those options are to have a WAVAW worker with them to offer support. The continuity of care is what’s so special about it. I have some clients that I’ve been with eight years now, who I met at the hospital after their assault. When you get an opportunity to form those relationships with women on their healing journeys, it’s incredibly powerful.”

Cont’d on next page

Legislation: Post-Secondary Policies on Sexual Violence

On April 27, 2016, Bill 23: *Sexual Violence and Misconduct Policy Act* was introduced in B.C. The legislation requires every public university, college and institute in the province to develop a sexual misconduct policy. The Bill defines sexual misconduct to include a wide range of acts, ranging from voyeurism to harassment to sexual assault. On May 19, 2016, the Bill received Royal Assent.

For more information about Bill 23, please see the [news release](#).

Civil Forfeiture Grants Address Sexual Assault

On March 23, 2016, the Ministry of Public Safety and Solicitor General announced funding for 32 grants worth more than \$1.1 million to address sexual assault, including sexual assault on post-secondary campuses. These grants were part of over \$7.3 million that was provided in civil forfeiture and criminal forfeiture grant funding to safeguard vulnerable young people from gang involvement and protect victims of domestic, sexual and other forms of violence. For more information about the grants, please see the [news release](#).

WAVAW Rape Crisis Centre (cont'd)

WAVAW has developed relationships with other service providers in the community including Vancouver Police Department's Domestic Violence and Criminal Harassment Unit, Vancouver YMCA's Legal Educator, Vancouver Women's Health Collective, therapists approved through the Crime Victim Assistance Program, the Victim Safety Unit, Aboriginal elders, WISH Drop-in Centre Society, Downtown Eastside Women's Centre, victim service programs, and others and uses these organizations as referrals for their clients.

"Our theory is that really good, reciprocal relationships with other service providers enhance women's experience interfacing with these systems," says Israel.

As a result of increasing awareness about sexual assault and public exposure to WAVAW through outreach and other methods, the demand for WAVAW's services has increased. This has allowed WAVAW to assist more survivors of sexual assault and to work toward their vision of a society where all women are free from violence.

"We know the work we are doing at WAVAW is making a difference", says Israel. "I started here as a volunteer in 2002 and I can't imagine being anywhere else."

For more information about WAVAW Rape Crisis Centre, please visit www.wavaw.ca.

Testimonial Aids and Accommodations for Victims of Sexual Assault

The *Criminal Code* includes a variety of provisions designed to protect the privacy of sexual assault victims. These include the availability of publication bans on the names of the complainants, as well as strict limitations on the use of evidence of a complainant's prior sexual activity or evidence of "sexual reputation". Under the *Criminal Code* a complainant's private counselling and clinical records are also protected from disclosure, unless the defence is able to satisfy the court that access to the records is relevant to an issue at trial, or to the competence of a witness to testify.

Where necessary and appropriate, testimonial accommodations are also available to assist complainants in the presentation of their evidence in court. These can include permitting the presence of a "support person" during the testimony, testifying behind a screen, or asking the court to order that the complainant's testimony be provided from outside of the courtroom.

In reviewing an application for testimonial accommodation, the court will consider:

- the age of the witness;
- the nature of the offence;
- the nature of the relationship; between the victim/witness and the accused;
- the kind of testimonial aid or other measure that is requested; and
- other factors, such as society's interest in encouraging the reporting of crime or whether the testimonial aid is needed for the witness's security.

If you have a client wanting to use a testimonial accommodation, be sure to raise the issue with the assigned Crown counsel as early as possible to ensure a full discussion of the client's needs and concerns with the prosecutor. Early discussion also provides more time for any arrangements to be made to request the order and ensure that the testimonial accommodation is available for the client's testimony.

For more information, please see the [Ministry webpage](#).

Launch of #SaySomething Campaign, Year Two



Photo (left to right): Krista Levar (Coordinator, RCMP Victim Services), Max (therapy dog), Minister Mike Morris, Leslie Tozer (Executive Director & Trauma Counsellor, Surpassing our Survival Society), Minister Shirley Bond

In March, 2016, the B.C. government launched the second year of the #SaySomething campaign, which focuses on sexual violence. The goals of the #SaySomething campaign include:

- Dispelling myths about sexual assault
- Raising awareness about sexual assault, with resources on how to offer help or get help
- Educating bystanders on their role and empowering them to take action

The [SaySomething website](#) provides information and resources for victims, service providers, and bystanders who want to help.

Practice Tips: Working with Victims of Drug Facilitated Sexual Assault

By Wendy Potter, Program Manager

Drug-facilitated sexual assault (DFSA) occurs when a substance is used without consent to render a victim defenseless against a sexual assault. The substances used are varied but alcohol is the most common drug used in these types of sexual assaults. Survivors of DFSA may face barriers to accessing support and services. The following information may be helpful for Victim Service Workers and Violence Against Women Counselling and Outreach Workers to consider in their work with survivors of DFSA .

Believe Them

One of the most difficult things for many survivors to do is to tell someone or talk about what happened. It is helpful when a survivor recounts their experience that they feel they are being believed.

Validate Their Feelings

Many survivors of DFSA experience the same emotions as survivors of non-DFSA (e.g., guilt, shame, and self-blame) but they have some different challenges. Survivors of DFSA are often unconscious or semi-conscious throughout the sexual assault. As a result, many survivors struggle with feelings of powerlessness as they were unable to do anything to defend or protect themselves. It is important to validate the survivor's feelings about how upsetting this is.

Take Their Fears and Concerns Seriously

Some survivors know who the assailant is. There are, however, many cases where survivors wake up alone and do not know who drugged and sexually assaulted them. Since so much of safety planning relies on knowing who the assailant is, many survivors will struggle with how to be safe and will need your assistance in figuring out how to best regain their sense of safety.

Avoid the Perception of Victim Blaming

Try not to focus on the survivor's behavior by asking "why" questions (such as "Why did you go there?"; "Why did you have another drink?" and so on). Many survivors ask themselves the same questions and asking these questions only reinforces the feeling that it is their fault and that they are being blamed.

Help Them Regain Control

Offer the survivor choices about what their options are. It may be challenging to make informed choices about what they would like to do, as they may not really know what happened to them. They might say, "I want to report to the police but I don't remember anything." They may want to have the forensic exam and/or access healthcare services. They could be at risk for pregnancy, HIV, or sexually transmitted infections.

Understand the Context of DFSA

It is helpful to be aware of the challenges that survivors of DFSA may face. For many survivors, the lack of memory and not knowing what happened are the biggest challenges. Sometimes a survivor describes a situation in which they are triggered by something (e.g., smell of a cologne) that takes them back to the assault and they have no idea what the trigger means.

Focus on What is Known

Many survivors struggle with the fact that they have no memory of what happened or that their memory may be seriously limited. It may be helpful to focus on what they *do* know and the positive steps that have been taken to deal with what happened.

For more information about drug-facilitated sexual assault, see [Rising Incidence of Hospital-reported Drug-facilitated Sexual Assault in a Large Urban Community in Canada: Retrospective Population-based Study](#).

Free Webinars for Service Providers



Our next free webinar will be held on June 15 on third party reporting of sexual assault with panel members Corporal J.L. Collins, (Lax Kw'alaams/Metlakatla RCMP), Denise Russell (Prince Rupert Community Enrichment Society), Morgen Baldwin (EVA BC), and Gisela Ruebsaat (EVA BC). To register for this webinar, please contact us at victimservices@gov.bc.ca.

On April 19, 2016, we held a free webinar on Supporting Children and Youth Victims with panel members Sandra Bryce (Victoria Child Abuse Prevention and Counselling Centre), Kristi Ross (Greater Victoria Police Department), and Colleen Stewart (Crown counsel). The webinar included a discussion of key considerations, perspectives, and practice tips on a number of different scenarios of child abuse. The webinar also included conversations on advancements in law and practice, child and youth advocacy centres, and resources for front-line service providers. More than 170 participants registered for the webinar. Due to the high level of interest, we will be scheduling a similar webinar in fall 2016.

Western Canada Sexual Assault Initiative

The Western Canada Sexual Assault Initiative, funded by Status of Women Canada, is a two year collaboration (2014-2016) between the Ending Violence Association of BC (EVA BC), Alberta (Association of Alberta Sexual Assault Services), Saskatchewan (Sexual Assault Services of Saskatchewan), and Manitoba (Klinic Community Health) to ensure there are consistent and improved responses to sexual assault across the four western provinces. All pillars of this project have at their core a focus on encouraging women and girls

to tell someone about what happened in order to get help. The goal of this initiative is to increase the competencies of responders and the coordination of systems to respond more effectively when a woman or girl discloses that she has been sexually assaulted.

To access resources including a handbook, campus sexual assault guidelines, and disclosure tip sheets, please visit EVA BC's website or contact evabc@endingviolence.org.

Sexual Assault as a Tool of Coercion and Control of Trafficked Persons

The United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons defines trafficking in persons as: "The act of recruitment, transportation, transfer, harboring or receipt of persons ... by means of threat or use of force or other forms of coercion, of abduction, fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person... for the purpose of exploitation."

In human trafficking, the process of victimization occurs over an extended period of time: weeks, months, and even years in some cases. Human trafficking is not a one instance crime.

Traffickers create a context of fear to be able to control and exploit their victims. Within that context of fear, sexual assault is one form of abuse of power, violence, and oppression used by traffickers to exercise control over the persons they are exploiting.

In November 2015, Reza Moazami was convicted of 29 charges including human trafficking, sexual assault, sexual interference, and living off the avails of

prostitution for a number of women, some as young as 14. Justice Bruce noted in her ruling that "Mr. Moazami regarded free sex with his prostitutes as a 'perk' of his position as their pimp. Regardless of their wishes, he regularly exercised this type of control over their bodies and emotions."

Sexual assault is not only perpetrated against trafficked persons subjected to sexual exploitation. There are emerging cases of women who were exploited for their labour also report sexual assault within the continuum of abuse of power and control.

It is crucial for front line services providers to be aware of the indicators of human trafficking. A person may seek help from police, a social service agency, the emergency room at a hospital, or a community agency, as a victim of a sexual assault. However, the assault may be the emerging indicator of a more complex form of victimization (i.e., human trafficking).

For more information about indicators of human trafficking please see the online course on human trafficking, *Human Trafficking, Canada is Not Immune*.

Forensic Exams for Non-Reporting Victims

In the event that a victim of sexual assault has decided not to report to police, they can still undergo a forensic exam to preserve evidence. The costs of the exam are covered through an agreement between the Ministry of Health and the Ministry of Public Safety and Solicitor General, which helps to ensure that victims of sexual assault are provided with sufficient time to make decisions about justice system involvement when they attend a health care facility while preserving the forensic evidence and provides for storage of the evidence for up to one year.

Community Safety and Crime Prevention Award Nominations Still Available!

Each year the Ministry of Public Safety and Solicitor General recognizes individuals, groups, and programs that have made outstanding contributions to crime prevention and community safety through the Community Safety and Crime Prevention Awards. These awards are announced during Crime Prevention Week (November 1 to 7).

There are five award categories including the Services to Victims Award, which recognizes an individual (paid or volun-

teer), community group or others who have provided exemplary leadership in providing services and supports to victims.

We encourage you to consider submitting nominations. To nominate an individual, group or program, please submit the award nomination form by August 5, 2016. Nomination forms and additional information about the awards are **available on our website**.

Shining Star

Ashley Bentley (AMS Sexual Assault Support Centre, UBC)

Ashley Bentley has been working in the anti-violence field for over six years. For the last three and a half years she has been managing the AMS Sexual Assault Support Centre (SASC), where she works with all members of the UBC campus community as well as many community organizations.

Ashley's work focuses on managing the support centre, along with maintaining partnerships at UBC to work towards a collaborative response to sexual violence through prevention and response strategies. Due to Ashley's expertise she has also supported and advised other post-secondary campuses with violence prevention strategies.

Ashley has also organized provincial conferences to engage campuses, community groups and members of government to share promising practices in violence prevention. Ashley is passionate about improving the experience for survivors of sexual assault on campuses and



has presented at national conferences on many topics related to this work.

Ashley believes that an equitable and intersectional approach to education is key to violence prevention and is about to start a Masters of Education, Equity in education program at Simon Fraser University, where she hopes to do further research on this topic.

Is there someone in your program who you would like to be recognized as a Shining Star? We'd like to profile them in our bulletin. Please send your submission to victim-services@gov.bc.ca.

What to Expect: Information for Witnesses

The Ministry of Justice has recently released a new information sheet entitled *What to Expect: Information for Witnesses*. The publication includes information about the role of a witness in a criminal case, being a witness for the Crown, preparing for court, testimonial accommodations, testifying, and other subjects. The information sheet is available on the [Ministry's website](#).

Save the Date! BCSTH Annual Training Forum

BC Society of Transition Houses Annual Training Forum is taking place October 26 to 28 at the Radisson Hotel Vancouver Airport. The theme of the forum is Valuing Inclusion and Anti-Oppression in Practice. For more information, please visit www.bcsth.ca.

Training Opportunities for Service Providers

Victim Services: Supporting Victims through the Justice System

Provides an understanding of the justice system and practice tips on providing court support to victims through the justice process. Seats still available.

Understanding and Responding to Elder Abuse E-Book and Video

Designed for workers in B.C. who work with older adults who have been abused and neglected

Domestic Violence Safety Planning Online Training

Seats for staff and volunteers with our Branch-funded programs are still available.

Human Trafficking: Canada is Not Immune

Provides information about the indicators of human trafficking and ways to meet the unique needs of trafficked persons

Videos for the following webinars are available online:

- [Human Trafficking](#)
- [Draft Justice Framework](#)
- [Crime Victim Assistance Program](#)
- [Restitution Program](#)

Faces of Courage: Shoutout for Change

To mark Victims and Survivors of Crime Week, Surrey Women's Centre is sharing words of courage and giving a #ShoutOut4Survivors who share their stories of pain, resilience and healing.

Faces of Courage: Shoutout for Change focuses on the stories of women speaking out about sexual assault.

It is a tribute to the voices of all survivors. Faces of Courage is a reminder that it's never your fault.

For more information, please visit facesofcourage.ca.



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Victims and Survivors of Crime Week



Victims and Survivors of Crime Week is May 29 through June 4, 2016. The week recognizes issues facing victims and survivors of crime and the services and laws in place to help victims, survivors, and their families. There are several events taking place throughout B.C. during the week (see the [provincial calendar](#)). We encourage you to attend events in your community.



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